

MEETING MINUTES  
MORRISVILLE BOROUGH COUNCIL  
REGULAR MEETING

MONDAY, APRIL 17, 2017  
7:30 p.m.

The Morrisville Borough Council met on Monday, April 17, 2017 at 7:00 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 start with a moment of silent prayer where I'd hope that we keep the families affected by the fires over the weekend in your thoughts and offer thanks to the first responders both from Morrisville and other communities who assisted in that. We'll start with a moment of silent prayer followed by the Pledge of Allegiance.

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

Junior Councilperson: Garlie St. Cyr

**SPECIAL PRESENTATIONS**

Mr. Kerner stated all present. We begin tonight with 4, special presentations, starting with Mayor Rivella and VFW Post 6393.

Mayor Rivella and VFW Post 6393 gave a special presentation. Ron Smith of the Department of Pennsylvania Safety Committee, representing VFW Post 6393 of Yardley, PA, presented Chief George McClay with the VFW Department of Pennsylvania John Radko Law Enforcement Award for 2016-2017. Russ Davidson, Yardley VFW Commander presented Chief George McClay with the VFW National Law Enforcement Award for 2016-2017.

Chief McClay stated, I received a lot of awards in my career, but to get an award like this from true hero's that have served their Country means a lot to me. Thank you very much gentlemen and thank you for everything you have done for us.

Ron Smith stated, I appreciate your attention and hospitality tonight and I believe this community has a real keeper in this Police Chief and I sure hope you treat him kindly. Thank you very much and have a good evening.

Mr. Kerner stated, now we moved on to 4B. I introduce Joseph Donnelly with the DRJTBC, presenting information about the Scudder Falls Bridge project.

Mr. Joseph Donnelly stated, thank you. I'm just going to go through this — I gather your tight schedule, but I will go through as quickly as I can.

Mr. Joseph Donnelly of the Delaware River Joint Toll Bridge Commission (DRJTBC) gave a powerpoint presentation providing information about the Scudder Falls Bridge.

Mr. Donnelly stated, if you have any questions, I'd be happy to answer them.

Ms. Kronnagel stated, I think our Police Chief has one.

Mr. Kerner stated, in the back of the room.

Chief McClay (inaudible)

Mr. Donnelly replied, that is what the traffic studies show.

Chief McClay (inaudible)

Mr. Donnelly replied, yeah, there was that first day — okay. Yeah, but the first day was really bad from —

Chief McClay (inaudible)

Mr. Donnelly replied, I can't predict what's going to happen in the future. I can tell you what we are doing, and that is a traffic study that consists of traffic readings that were done last year before construction began and then there will be a post construction traffic study to look at the two impacts to not only your two bridges here, but other roadways and interchanges that could be impacted by the bridge due to toll.

Chief McClay (inaudible)

Mr. Donnelly replied, okay, well I can tell you right now we don't have any forum scheduled. In terms of construction phase, our commitment is to maintain two lanes of traffic in the peak direction when necessary. If incidents occur, just like they do now, traffic accident or single incidents like that, I don't know what to tell you. We try to handle them as quickly as possible, as you know, if it's of —

Chief McClay (inaudible)

Mr. Donnelly replied, well, we've had hearings, and I've been at all of them.

Chief McClay (inaudible)

Mr. Donnelly replied, yeah, that's okay.

Chief McClay (inaudible)

Mr. Donnelly replied, okay. Yes, sir, sorry.

Audience member stated, I have a question. Is there going to be an increase of State Police presence in the construction zone to slow people down? Because they drive faster than fast on that whole corridor and when there's an accident up there during regular traffic, it backs up all the way through Yardley into Morrisville — with construction and —

Mr. Donnelly replied, the reduction will be in off peak hours. We do a lot of work up there, even before this project with single lane closures. It happens frequently and yet, you don't really have any impact from it. I understand that the dynamic to this is a bit different and it's going to be ongoing, it's not going to be just you know, a week or a month of closures, but we've done that routinely. In 2005, we basically — we did all of the potholes, we did the deck. Not a full deck replacement, but pretty close to it and yet, no traffic impacts. Why, because the work was done during off peak hours. That said, your first question was about State Police, I don't know the answer to that, I will try and find out. But generally to have State Police there on a 24/7 presence, that's going to drive up costs, so — it could be part of it, I just don't know.

Audience member asked, is the current Scudder Falls Bridge going to be —

Mr. Donnelly replied, no.

Audience member asked, they're going to move that —

Mr. Donnelly replied, yeah, that bridge as I stated earlier was the same design as the Mianus Bridge. So, to invest any more public money in a failed design — we've managed to keep it going, it's still safe, at least until we get this project done, but to invest in that would not be sound use to public money. So that's going to get completely removed, we'll actually end up

— if you care about the environment, fewer piers in the water, the current one has 7, the new bridge will have 5. So, those things matter.

Audience member asked, I was wondering if your construction time table — I'm sure you've taken in to account there are seasonal limitations of when you can be in the river —

Mr. Donnelly replied, yes. I don't know if they are migratory, but it's Short-nose Sturgeon and then the other impediment just added is the shad or not is — or not a factor. But they fought within the same timeframe as the Short-nose Sturgeon, which I believe is either March 1st or April 1st to July 1st, that's why we're not starting in water construction this year until on or shortly after July 1st. Just one other short note on that, we couldn't do the tree cutting out here due to the Indiana Bat. Even though we don't have any confirmed sightings of them, the fact that those trees could be their habitat, prevented us from doing tree cutting, from I believe it's March 1st to September 30th.

Mr. Kerner asked, building on that, would the river be closed to recreational use during construction?

Mr. Donnelly replied, it depends on how it gets constructed. That's a good question. If the staging is done that we are doing half of a bridge and then once that's done on to the other side of the river and then doing the other half to connect to that, it's possible that the river could be open. That decision is yet to be made. That final decision is made by the contractor providing we can get the permit for it, but there is that possibility that it could be open.

Mr. Kerner stated, and this may be outside of your knowledge, but would the East Coast Greenway be moved to that span or would it stay on the Calhoun Street Bridge?

Mr. Donnelly replied, you'll have to ask Andy Hamilton, I would suspect they wouldn't want to. There's a historical significance to the Calhoun Street Bridge, having been the original location of the Lincoln Highway and I think that's kind of key for them. And then it also doesn't really have a place to connect to except for —

Mr. Kerner replied, they both connect to the canal, which is —

Mr. Donnelly replied, that is correct. It does serve as a — but the tow paths are running North, South and then you'd have to figure out how to go from there. One other key point is that the 911 National Memorial Trail — I know that that was something that was looked at, but I think they are still keeping it at Calhoun.

Ms. Smith stated, the EZ-Pass, you were saying it might — you have to have one that is affiliated after this is constructed with the Bridge Commission.

Mr. Donnelly replied, yeah.

Ms. Smith stated, so the ones in Pennsylvania that you would have, they would not be able to use those, you would have to have a whole different system.

Mr. Donnelly replied, they are a whole different system. The Pennsylvania Turnpike system is operated by a company called TransCore. They do not process our tolls, they don't issue our transponders, so that's an entirely separate system. You — however, with — somebody with a Pennsylvania Turnpike EZ-Pass, the rate will be \$1.25, it's just the commuter discount can't be applied to it.

Ms. Smith asked, so — you would have to have two separate —

Mr. Donnelly replied, no. I would just get —

Ms. Smith stated, get —

Mr. Donnelly stated, the New Jersey issued EZ-Pass instead, there's no discounts to the Pennsylvania Turnpike system. If you have a main Turnpike EZ-Pass, you're going to pay the same rate as a Pennsylvania.

Ms. Smith replied, okay. Okay.

Mr. Donnelly stated, I am not usually in the business of telling not to get Pennsylvania Turnpike, but that's the fact.

Ms. Smith replied, okay.

Mr. Donnelly stated, unfortunately our system is completely separate. I should also add, we're not the only Bi-State Agency that's handled under the New Jersey rubric. The Delaware River Port Authority, The Burlington County Bridge Commission, Delaware River and Bay Authority, are all also affiliated with the New Jersey one. I want to rest assure you that the money that gets paid, it goes to something that's called New Jersey EZ-Pass that money comes to us, it's not going to the State of New Jersey.

Ms. Smith replied, okay. Thank you.

Mr. Kerner asked, if you had both transponders in your car, would it hit both of them?

Mr. Donnelly replied, I don't know the answer to that, but that would be my fear, yes. But I don't see the advantage to that.

Mr. Kerner stated, you might just have the Pennsylvania, maybe it's got sentimental values, who knows, you never know.

Mr. Donnelly replied, this is true.

Mr. Sanford stated, I have a question.

Mr. Kerner stated, alright Todd.

Mr. Sanford stated, okay, my question is, I know you have a fee there for people who don't have EZ-Pass, it's more than doubled the price now, I crossed the Tappan Zee Bridge three weeks ago, and they don't have toll plazas there any more. The Tappan Zee Bridge goes through the Hudson, and if you don't have an EZ-Pass, they have a sign posted there, .25 for administration fees — now why such a difference, they can do it, run it and you have to charge a lot more money.

Mr. Donnelly replied, I'll have to look at it, I don't know.

Mr. Kerner stated, rental car Todd.

Mr. Donnelly replied, I would also want to confirm what that means.

Mr. Sanford stated, well, I'm just concerned if people don't have an EZ-Pass, they may take the other route which could be down over the Calhoun Street Bridge. That would be more traffic, I'm just concerned of that.

Mr. Kerner asked, the 202 Bridge is tolled as well?

Mr. Donnelly replied, absolutely, same as —

Mr. Kerner stated, I was concerned about Washington Crossing sandwiched in between those two, we get a lot of traffic through town here because we have free bridges coming up from the South, they're tolled the whole way down, so we see a lot more traffic. At least for Morrisville residents, because I don't want to pay a dollar toll to get off the first exit.

Mr. Donnelly replied, yeah, that is actually part of the reason we can toll it because there are non toll bridges. Maybe not for Morrisville, but there is in the application process, you need to have what is called environmental justice —

Mr. Kerner stated, I guess you have New Hope, Lambertville as well.

Mr. Donnelly stated, New Hope, Lambertville as well, but that's really well outside the parameters —

Mr. Kerner stated, between 202 and 95, 295.

Mr. Donnelly replied, yeah, but ironically, our toll bridges have been picking up traffic and our non toll bridges have been having reduced traffic in recent years.

Mr. Kerner asked, any further questions?

Ms. Larison stated, my only biggest concern would be the truck traffic coming through town.

Mr. Donnelly stated, truck traffic again, is going to be if it's coming through town, it's going to be on Route 1.

Audience member (inaudible)

Mr. Donnelly replied, yeah, they do attempt it. We do site people there. We do enforce there. We do have State Police and we do issue tickets, so that process will continue.

Mr. Kerner stated, thank you for the presentation and answering all of our questions.

Ms. Kronnagel stated, yes, thank you very much.

Mr. Kerner stated, hopefully communication is open with the Chief when he needs it. We will now move on with the hearing of the public and we will start with Bill Setzer.

### **HEARING OF THE PUBLIC**

1. Bill Setzer - *806 Crown Street - Morrisville Environmental Advisory Council*  
He stated, I came tonight to highlight that we're right here in the midst of spring. We have some great events coming up. We just had a great event back on the 29th of March, the Annual Riverfront Cleanup which we've been doing for a number of years. We had a very good turnout, 43 people, volunteers came, many Borough Council people came as volunteers and many people from the public and we thank them very much for that and a great deal was accomplished and I think everybody had a really nice time too. We were lucky to have great weather and we hope you'll come back next year and also tell your friends about the area so that they'll go explore it and perhaps participate in future events. Since that cleanup we also had a naturalist walk which we advertise as best we can on social media and so forth. We have a certified Pennsylvania Naturalist who volunteers her time, Maryanne Borge who comes and answers questions as we go through the preserve, so everybody should try to take advantage of that. We'll be having another one, she'll be coming back in early July, I think it's July 8th, but we'll post it and we hope more of you come to it. It's really very interesting and it's a lot of fun too. So that was a big success and we also want to thank the public works department for picking up all the refuse that we gathered. This is refuse that either comes in via the wind or the river coming up or whatever, but it's surprising how much accumulates down there so again, having volunteers work on it is really essential and thank you again everybody who came. This coming Saturday, we're coming up to the official National Earth Day and this coming Saturday from 11:00 am to 3:00 pm, a group of local residents who have a Native American background from Mexico, they were part of the Aztec Nation, they are decedents of those people, they are doing some kind of ceremonial dance down between the Dog Park and Delmorr Avenue on the open property there which we urge everybody to come and see, stand back,

it is actually some type of ceremony so you don't want to interfere and move in on them.

Ms. Kronnagel asked, Bill, what time is that?

Mr. Setzer replied, what time? I believe it is starting at 11:00 a.m. and they hope to conclude no later than 3:00 p.m. Two of the residents of that group came to the EAC with the idea that they — and they are following through and we're assisting them, they are going to do a tree planting, part of their ceremony has to do with honoring the earth and this was their idea, we were very touched by that. They are getting a native tree, a river birch, pretty good size, spending \$100.00 and they are donating it to the community. Several members of the EAC, myself included who are certified as tree tenders, will help assist them with the planting so it's done so that this will be a nice thing for the future of Morrisville. We've strategically scoped the spot out, it's been approved by the Borough and it won't interfere with the view from the Dog Park towards the river, it won't interfere with Public Works or the railroad property people maintaining the property. Ultimately as it gets bigger and bigger, It will provide more of a screen so that you don't see the hill of the railroad which is kind of ugly down at the lower section, so it will have a nice long term affect. On that same note, the river birches that the people from the Dog Park put in are doing very well, so that's a very good sign, this is a plant, a tree that's very well adapted to that. It's a native plant and it provides a lot of benefits to the insects and the birds in this area, so I'm sure the birdtown people will be very enthused to see this happening also. We also have planted river birches for the last couple of years down on the Preserve, they are doing very well. They are one of the species that seems to thrive in that area, so we've made a good choice on that I think. That will occur about 1:00, so if anybody wants to come out and check that out, glad to have you and if any of you have any tree planting questions of your own, we'll be glad to talk about it with you. So that's — again, something that people should come out and let them know that what they are doing is a good thing and hopefully it's like a cultural thing for our community that we never had before. Then on the following Saturday, April 29th, we're having the Annual Graystone cleanup at the intersection of Highland and Crown Street where the big rock comes out of the ground and we'll just be doing — we've been doing that for 17 years since we first acquired that as an Open Space property. Just to remind everybody, that was one of the first, if not the first, certainly among the first Open Space properties acquired in Bucks County under the Open Space, Municipal Open Space Plan. It's improved, there's very little refuse compared to like what happens down at the Riverfront Preserve, because things don't blow in or float in and I'll be providing handouts to people that are interested in the history or the geology of it. If anybody is interested, that will be from 10:00 am till noon and it's always, it's a shady area and it's always a lot of nice people, so we'd like to have a big turnout for that too. And then one last thing, on May the 6th, which I guess is the following Saturday, Lower Makefield Township is sponsoring again, an E-Waste collection drive where you'll be able to take old electronics and t.v.'s and that sort of thing over to one of the

elementary schools in Lower Makefield and drop them off. Now I think big t.v.'s and such, they ask for a donation on those, it's \$25.00, but most of it's free donation and you'll get rid of it and you won't be sending it to the landfill, so kudos to Lower Makefield, because that is a big, big project to organize and if you want more details on it, we're going to put it out on social media as best we can, but you can always go to the Lower Makefield Township website and look at the Environmental Advisory Council section and you'll be able to get the exact location, that's from 9:00 to noon on May 6th.

Mr. Kerner stated, William Penn Middle School.

Mr. Setzer replied, oh, thank you, Fred. Yeah, so it's at William Penn Middle School this year and people can volunteer for that too. Last year I volunteered at it, over, approximately a thousand cars showed up. It was really unbelievable the amount of E-Waste that was kept out of the dump and that's a good thing for the environment. So that's about it, but thanks everybody again for their volunteer efforts, I hope everybody is enjoying their spring and I hope to see you at some of these events. Thank you.

Mr. Kerner replied, thanks Bill.

2. Mike Yager - *338 Melvin Court N.*

He stated, so I did a couple of RTK's, right to knows and I picked them up late last week and it brought a couple of questions and I wanted to bring them here and see if we can figure out what's going on and they're all financially based and anybody who knows me knows that's kind of where I'm focused. So it looks like 2016 from the Borough Financial Statement, we started the year at about a \$200,000.00 deficit. And I know we've spoken about that before it's \$195,700.00, we've spoken about that before. The common theme was, Mr. Sooby, it wasn't really your deficit, you kind of came into this thing and were learning, and it wasn't your budget. But as I look through, and some of the numbers actually look really good. I need to ask, what was the deficit going into 2017?

Mr. Sooby asked, going into 2017?

Mr. Yager replied, I'm sorry.

Mr. Sooby asked, did you say going into —

Mr. Yager replied, going into 2017.

Mr. Sooby replied, \$195,000.00.

Mr. Yager replied, \$195,000.00. So if the — no, that was going into 2016.

Mr. Sooby replied, no, that was 2017.

Mr. Yager replied, so it maintained through 2017. Okay, thank you. So then I guess my question has to be, on the MMA voucher reimbursement, we pulled in \$312,500.00, in December of 2016 that went towards the 2016 budget as revenue. But that's 2017 revenue that we expected to get in our budget. How are we making up that third of a million dollars? Because it's already spent in 2016, right?

Mr. Sooby replied, no.

Mr. Yager replied, so then there was carry over? Was it carried over into 2017?

Mr. Sooby replied, no, it was an early payment to help us get through until — just like we do with the sinking fund.

Mr. Yager replied, so you — I don't think people can hear what you are saying, your microphone.

Mr. Sooby replied, we borrowed early from it due to the fact that we did carry a deficit and it was just like we do with the sinking fund, just to make sure we get through until the taxes come in.

Mr. Yager stated, okay. So you're saying that there's revenues that are going to make up for that?

Mr. Sooby replied, yes.

Mr. Yager stated, okay. So then that brings me to my next question with the revenues. Because by the way, I don't really see it that way, because you really did, you pulled it into 2016, but you're still showing it in 2017 budget, but my next question is about the sanitation prior years, which I'm sure you knew was coming up. So based on the budget for this year, you're looking at \$350,000.00 right, based on the RTK, it looks like we've collected, there may be more that came directly to the Borough and that's what I'm going to ask next, but it looks like about \$21,000.00 came in for the first quarter, on a quarter that you were targeting \$87,500.00, are we going to be making that up somewhere is there going to be adjustments made?

Mr. Kerner stated, he may address this during his report.

Mr. Yager asked, is that what you're saying?

Mr. Kerner replied, that's what he just said to me.

Mr. Yager stated, okay. Okay, alright, so I'll wait for that report. I will say again as I've said before I'm very concerned and I know there's council people up here

that will be questioning the bills. I'm looking closely at the revenues because that's where I believe the problem is guys. I believe we have overstated our revenues, I've said it before, I will say it again. There's gonna be a — if we're continuing to carry over the same deficit and we're using future revenues to cover that deficit, we're not going in the right direction. Alright, thank you.

3. Kurt Holthenrichs - *300 Melvin Court N.*

He stated, I hope everyone had a good Easter, if you celebrate. Nice weather. I just have a couple of questions, there's a bill I know is going to come up in a minute, but it says for 3 Ford police vehicles \$37,200.00, are these — are we buying used ones, or these some kind of work done to 3 vehicles?

Mr. Sooby replied, it's the same payment. It was the same as last year.

Mr. Holthenrichs stated, okay. Alright, that was an easy question. We have the Restaurant Week coming up and I'm glad that this is put together. It's on here tonight to approve it for sponsorship by the Borough, is there a budget that the Borough was spending — okay, it's just that we're sponsoring it and it's just going to be something that we're putting on.

Mr. Kerner stated, I believe so, correct Corryn?

Ms. Kronnagel replied, correct.

Mr. Holthenrichs replied, okay great. It's coming up tonight, I want to thank Mr. Seward for his years of service, but when I see that the letter is coming up for retirement, I'm thinking back to the last couple that came through and I'm really expecting Council to protect the taxpayers going forward. We're not flushed with cash and I'm really hoping it's not going to be the same type of deal we had with the last couple retirements in the Borough that cost us thousands upon thousands of dollars that are not in the actual contracts for what we are owed to employees, so I'm really hoping that Council respects the taxpayers and watches our dollars please. Thank you.

4. Holly Harman - *S. Pennsylvania Avenue*

She stated, just three quick things. Probably about this time last year Mr. Sooby, I asked you about the stop sign at Green and Washington. I notice it's gone. We didn't have a study to put it in and now it's gone, what happened?

Mr. Sooby replied, well, some people were complaining that due to the fact that there wasn't an ordinance in place — there is one for East and West, it just so happens there wasn't for North and South. And we basically put it up originally just to see what the neighborhood response was, from what I see it was a good response. However, due to the fact of social media and certain people out there, they made this an issue, so now we're going to have to go by ordinance for every stop sign that is put up. Again, I want to state that if we do usually put up a stop sign, it's for — it's not enforceable by law, however, it does curb traffic in some cases like

that, it's mostly — stop signs are for pedestrians, not for cars. So, due to the fact of all this response we are getting back about stop signs unfortunately we had to remove it and now we're going to have to look into obtaining funding so we can do traffic studies throughout Morrisville to start adding the stop signs where we feel we need them.

Ms. Harman stated, okay, so obviously there's protocol for a reason and that wasn't followed so now the stop signs been removed? There's protocol. PennDOT states that there should be a traffic study, an ordinance should be amended and none of that was done.

Mr. Sooby replied, that's not the law.

Ms. Harman replied, I can't hear you.

Mr. Sooby replied, that's not how it's set up Holly.

Ms. Harman replied, well, I don't know, I did a lot of research on the PennDOT website.

Mr. Sooby replied, It's just not enforceable. Well this is within — it's a Borough road.

Ms. Harman replied, alright. Secondly —

Mr. Sooby replied, Mrs. Harman I would like you to say to the neighbors up there that like that stop sign —

Ms. Harman replied, oh I like that stop sign too.

Mr. Sooby replied, and now we had to remove them because of these issues —

Ms. Harman replied, I liked it.

Mr. Sooby replied, no you did not. You did not in the beginning.

Ms. Harman replied, yes I did.

Mr. Sooby replied, you can't turn it around now.

Ms. Harman replied, no. I don't doubt we need one.

Mr. Sooby replied, you were the first one who approached me on it. It's the same issue you brought up last year. However, now you're for it.

Ms. Harman replied, I never said we shouldn't, but it should be done the right way and it wasn't, obviously. Secondly, I also questioned previous about the leaf mulch that was being paid to be hauled away and I notice now on the t.v. scroll

that it is available to gardeners, yet it's no where mentioned on the website. Are we now going to be opening up the site so we can collect leaf mulch?

Mr. Sooby replied, it's been that way for years.

Ms. Harman asked, then why are we paying to haul it away?

Mr. Sooby replied, well because there's too much there and we don't have that many people coming in for — and first of all, it's not mulch, it's leaves.

Ms. Harman replied, it is mulch, that's what mulch is.

Mr. Sooby replied, no it isn't. They —

Ms. Harman replied, you're talking to a gardener.

Mr. Sooby replied, if you know then why are you asking?

Ms. Harman stated, thirdly, I also noticed that there is now a street sweeper schedule on the t.v. and again, not on the website. How are we supposed to know unless we're up at 2:00 a.m. bored watching the t.v. to know when the schedule is for the street sweeper?

Mr. Sooby replied, again Holly, we're trying to comply with the requests of the community. We do our best, we have 5 Public Works individuals.

Ms. Harman asked, is it hard to put it on the website so people can look?

Mr. Sooby replied, no we can do that, we can do that, it's not a problem.

Ms. Harman stated, because honestly, that scroll —

Mr. Sooby replied, all you have to do is come in. I've had an open door policy —

Ms. Harman replied, come in.

Mr. Sooby stated, since I've been here, or call and request it. We review every request. We never denied anybody unless it's a safety issue. We try to comply, however some people you can't make happy, so —

Ms. Harman stated, I just want to know how the public is going to be made aware of this if they're not waiting for 10 minutes for that to roll around on the television.

Mr. Sooby replied, it was never there before.

Ms. Harman replied, it is there now.

Mr. Sooby replied, yeah, it is.

Ms. Harman replied, is it on the website if people went and looked or is it out on the kiosk maybe.

Mr. Sooby replied, we will make sure we have it on the website tomorrow. It's the first thing I will do when I come in tomorrow Mrs. Harman.

Ms. Harman replied, alright. Miss, thank you.

5. Eileen Dreisbach - *75 Harrison Avenue*

She stated, I imagine not many of you have been down Manor Park or if any of you even know where it is. But, we have a major issue with traffic. Now that's not my issue — well that's part of my issue tonight. PECO has been down there for probably three weeks now, maybe more. And I don't have a problem with them doing the work that they're doing, because it is long overdue.

Mr. Kerner asked, where are they?

Ms. Dreisbach replied, Pennsylvania and Delaware, Pennsylvania and Philadelphia Avenue, Pennsylvania and Harrison Avenue, and now it looks like they are going to be digging up the crosswalk by Little Caesars, or not Little Caesars, City Limits and the railroad and it looks like a checker board there and I want to know if anybody has talked to the — to PennDOT to see if there's any way we can get a section of highway paved once they're done. Because I have a — I don't know for sure but I have a pretty good idea that they're going to be doing a lot more than what they're doing right now. There are a log of gas leaks down in Manor Park. They're down by the cemetery, they're on South Pennsylvania Avenue, they've been under my car for a year before they paved it and fixed the pipe and I think they are going to be coming down Harrison Avenue as well, probably Philadelphia Avenue, so it's going to be — I think it's a major issue that's going on right now down there trying to get on top of all these gas leaks before something occurs. The traffic is horrendous on any given day without this being done, but they have to work there so they have to have the single lane traffic and we still have the truck traffic down there. Today I was sitting there waiting to come out of my street on to Pennsylvania Avenue, an M & S truck came through there where they had the flagmen letting them come through, this truck had to be doing 45 mph going through the cattle chute. And it's ridiculous, I mean, I know the guy is standing there going like this telling you to go hurry up go so the other people can go in the other direction, but I'm sure he didn't mean for you to do 45 or 50 miles an hour though the traffic situation there. And so, I don't know what you can do about it, but I would really appreciate it if someone can come down there and keep an eye on things for a while and just see what the traffic is like and if there is any way we can handle

the situation with the trucks, because they are going through — well, right now, as of —

Mr. Kerner stated, the mic just cut out.

Ms. Dreisbach replied, yeah.

Mr. Kerner stated, it's back.

Ms. Dreisbach replied, but, the flagmen don't pay attention to the lights so it's just whatever they want to let go, whenever, so you're basically waiting 5 or 10 minutes before you get out. But that's neither here nor there, if you don't want to do that, turn around and go out another way, down 13 or whatever. But, it's like I said, it's a real mess, the street looks like a patchwork quilt, so if we can start talking to PennDOT now, and see if something can be done when they're done with the gas leaks and the new piping, it would be greatly appreciated. Thank you.

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

He stated, first let me get through the pleasantries. Congratulations to Police Chief George McClay. I've been around coming to meetings when he was hired and I think that was probably one of the best things that Borough Council ever did. I'll give you credit for that. There's a lot of other things I won't give you credit for. But I think you picked the man with the right qualifications. And second, Mr. Seward, I wish you a healthy and happy retirement and if you need any advice on retirement, come and see me and all I'm going to tell you is retirement is a word period. Cause you're going to find you've got less time now then when you were working, so you might want to go back to work. Now, it's that time of year again. Around the Borough — I was in Bristol the other day, they've got more signs on Radcliffe than you can shake a stick at. But they are starting to appear because of the election coming up. I've talked to a couple of people and they'll ask me what's going on, I say well come to the meetings and see what goes on. And people said, well what do you mean. I said you have to go to the Borough meeting to see how people vote on issues big and small. Don't worry about the small ones, it's the big ones you've gotta worry about. And there's a lot of people out there that will be voting come in May, they don't know whether it's day or night cause they don't have any information about the people that are running. I just wish everybody good luck in the upcoming elections. Well, let me modify that, some of you, not all of you. I think most of you people up there know where I stand, but that's based on my coming to these meetings and see how you vote and see how you talk, or whether you don't talk and when you do talk you talk about some stupid things. So, I wish everybody a good summer and don't forget Mr. Seward, I'd give you my phone number, but I don't like phone calls. Thank you very much.

7. Jane Burger - 90 West Maple Avenue  
She stated, I also want to give my congratulations to your Police Chief McClay for those distinguished awards he earned tonight. That certainly is something that is positive to happen and we may even get some positive press. So that's always good as well. Good Evening. I just want to mention that the Morrisville Business Association is having their spring dinner which is open to the public on next Monday, April 24th at Antonio's. We only have 10 seats left, we will be honoring Sam Snipes, I think most people are familiar with Sam and his dedication to the community for well over 60 or 70 years. He's a fixture around here and very community oriented, so we're going to be awarding him a life time achievement award. If you still want to come, you can call Kitty Westrope at 215-736-1320, or you can go on to the Borough web — not the Borough website, the MBA website, which is [morrisvillebusiness.org](http://morrisvillebusiness.org) and make your reservation and you can pay at the door and I didn't write the price and I should know it, but I think it's about \$25.00.

Ms. Kronnagel replied, \$30.00.

Ms. Burger stated, \$30.00, it's \$30.00, right. I know it's affordable. Thank you. So we look forward to having a full house to give accolades to Mr. Snipes. Speaking of signs, I just want to mention again Bob, if you have, Mr. Sooby, if you have the chance to go on to Grandview both ways by the school, if you're coming north from Bridge Street there are signs about speed limits and other traffic because it is a school there on both sides and they were there from when the road was one way going north. Now that it's only that during hours and there's two way traffic if you're going towards Bridge Street, there aren't any signs on that right side, so you might want to just take a look and you maybe two or three signs.

Mr. Sooby asked, what were the streets?

Ms. Burger replied, it's Grandview, the block in front of the Grandview school which is on the North it's Palmer and when you go down I think is it Hillcrest that comes out the next block.

Ms. Larison replied, no it's, Barnsley.

Ms. Burger replied, Barnsley, but it's one block and if you're going south, there aren't any signs just thinking that winter is over we were blessed not to have too many snow storms, but it's the season to kind of look at that. Finally, I'd like to speak to agenda item 8B, certainly want to wish this employee a wonderful retirement, he has worked many years for the Borough and provided a service to the community, but I do have a question of whether you are voting tonight on the retirement part, you know, whatever is in his letter — if he's asking for some of the same things as the previous management employee who retired last year, and if so, I have a concern about that. I was here last year with the other

employee and again this is not about the employees or their service, they were you know exemplary employees, but at that meeting there was discussion and the solicitor said that you could do what you were going to do because that was a management employee and he was not covered by the union and the Borough was really giving a gift and I really had a concern with that. So and the issue had to do with employee having considerable sick time in excess of 170 days that could be paid out at \$25.00 a day. And that the Borough had agreed that that excess sick time which was considerable could be used as a vacation. Now generally in labor practices, whether you are public sector or private sector, whether you're management, collective bargaining, or whether you're employee is in a non-union shop, sick time is to be used for sick and if employees call in and take sick days and then go to some type of vacation function where they are fishing or doing something and they are perfectly healthy and not sick, they can be disciplined and fired. So I really have a concern with that practice you gave and I'm hoping that's not going to come into play this time again. I was at another meeting and it was acknowledged that this current employee, I don't want to mention the name because it's got nothing to do with the person — last day in the office was going to be mid-May I'm not sure on the 15th or so. But yet I see on the agenda tonight, the retirement is not until December 31st, so that's a lot of time to be in pay status for the Borough and not available to work. That gets me to the two questions. One, is the authority to do that gift, that transfer of use of time anywhere in the Borough Code or Labor Law, where's the legal authority for that? The other concern is, how is that work going to be covered for at least 6 months, because while somebody is in pay status, you can't replace them. You certainly don't have the money in the budget to hire an additional part-time employee and you certainly wouldn't for short term be going to full term. How is that work going to be done, or is it not going to be done? You know, and that is an impact for the taxpayers and I have a concern about that, particularly since we learned — we don't have a large you know, Public Works Department from the Superintendent to the workers, that's I guess it's maybe 6 if you count that person. And you know, they have a lot of work that they are doing already and they share their work time doing work for the Municipal Authority, so I hate to see that work not be done and if somebody is out on vacation time, I really don't think that they are able to come in and do that job, so I really have concerns of part of a retirement package that kind of mimics or at least the same as the previous management employee, thank you.

Mr. Kerner asked, anyone else for public comment tonight?

***There being that no one else wished to speak, public comment portion was closed.***

Mr. Kerner stated, we move on to approval of the minutes. I thought we —

Mr. Sooby replied, there are none.

Ms. Smith stated, there is none.

Mr. Kerner replied, we had one to look at, but it's not on the agenda, okay. Then we move on to reports, starting with the Manager's Report.

### **APPROVAL OF MINUTES**

There were no minutes to approve this evening.

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

**Borough Manager's Report - Robert C. Sooby** - He stated, yes, I have a few things I wanted to let the Borough residents — Mr. Yager, he was under the belief from day one that we weren't going to be successful with our arrears sanitation. When we started this project, I had three employees work with me on it, of course, Virginia Cyphers, Sue Knott and Nancy Diretto, we really took a challenge on here, because this is something that with the sanitation arrears, it wasn't one year, it wasn't five years, it wasn't ten years, in some cases, it was twenty years. So this was an uphill challenge but my staff was up to the challenge and we rolled some numbers over today, if you look at your financial report, you'll see that in arrears is \$54,000.00, which that is, we did it two steps. We did it, \$500.00 and under we did in-house and again, the employees I mentioned helped me accomplish that. \$500.00 and above was done by Portnoff. So, as of March 31st, you could see in the financials, we had \$54,000.00 brought in and that's to the 31st. Within the last three, four weeks, we received electronic payments from Portnoff in the amount of \$31,000.00. So right there, that's about \$80,000.00 we brought in. From April 1st to April 17th, today, we brought \$61,373.00 in arrears, so Mr. Yager said earlier that the amount that I budgeted was an uphill climb to get, well out of the \$350,000.00, we're over half way there and we're only at April 17th. So, Portnoff took a little while to get it going, there were a lot of complications, we had to go through ordinances to make sure that all the penalties would be applied to the sanitation arrears. Plus we had to form letters to send out to the residents that were under \$500.00 and of course we had to collect it over the counter. I have to honestly say, the letter that my staff put out was a great response, people were coming in right and left. I'd like to thank my staff for putting such a great effort into it. I think we'll meet our goal. I mean, Portnoff really just started and every day we're expecting more. We actually had electronic payments that came over from Doylestown as well. So not only prior years sanitation, we're bringing in prior years taxes as well. So financially we're moving along forward, I know we had a bump in the beginning, however, you know it takes time, but each day I've reached out to my members within the Borough staff and they've accepted the challenge every day to look for ways to save the Borough money.

Besides that, we should be moving forward next month with the Cloverleaf project. If you recall, we are selling that property. We should be, hopefully next month we will be voting on it and having an agreement of sale hopefully May or June which will bring additional revenue in. Over this month, it was a really busy month, I'm actually trying to finalize the M. R. Reiter project, that's one tough cookie there. Pennsylvania Historical Society was really tough and also we're in the planning stages of trying to get the flashing lights up at the school. We have a couple of speed bumps with that. But I'd like to say that on behalf of the employees that work for the Borough, again, we have five, six Public Works they've been — we're going into grass season now. We're constantly doing water leaks. I think that the residents of Morrisville can be reassured that they're getting the most bang for their buck from the employees and we're getting things done. That's my report.

Mr. Cicero stated, I have a question Bob.

Mr. Sooby replied, yes.

Mr. Cicero stated, bare with me, I'm bad at math. You said we were looking at \$350,000.00 to collect in the arrearages.

Mr. Sooby replied, that is correct.

Mr. Cicero asked, how much have we collected so far, totally.

Mr. Sooby replied, we're about \$167,000.00.

Mr. Cicero replied, \$167,000.00, thank you.

Mr. Kerner stated, I'm going to ask for a brief intermission now, I just have to use the restroom and I've heard from others on the dais that they do as well. We had a long presentation. We are going to recess here at 9:09 and hopefully come back in 5 minutes.

***Council broke for a brief intermission.***

Mr. Kerner stated, coming back to order at 9:14, and we will continue with the Solicitor's Report if there is one.

**Solicitor's Report - Sean Kilkenny** - He stated, the Solicitor's Report will be brief this evening. We assisted administration with several right to know requests and response to the office of open records which were successful. And also too, as the Manager was talking about the M. R. Reiter project, I've been working with staff on bringing that to completion and that will conclude the Solicitor's Report.

Mr. Kerner stated, thank you. No Engineer's Report I would imagine. Now we will move to the Mayor's Report.

**Mayor's Report - David Rivella** - He stated, good evening everyone. Thank you Fred. I've actually a few items to report about. I've been busy since the last report. Of course, I want to start out by congratulating Chief McClay on receiving the John Radko Police Officer of the Year Award. This was something that resident Fred Eckert and I had been working on for over a

year. While both Fred and I appreciate Chief McClay's hard work, we were delighted that others agreed with us and our submission made it all the way through the National Nominating Committee and he was ultimately chosen. Speaking of Chief McClay, I would like to again remind the Council he is still waiting for a new contract, it's been at least 6 months since I submitted the paperwork on his request. If anyone would like me to resubmit it if you misplaced it, I would be more than happy to do that. And of course, thank you George for working without a contract. I'd like to discuss the Canal Cleanup. For more than 30 years, Borough worker, Ronnie Scheese had organized the Morrisville Annual Canal Cleanup. He did this administratively, he did it a partnership, this way he could use a couple of trucks that could be used. Last year, after having been personally involved with the clean up for 10 years along side of Ronnie, I took over the task of coordinating it, setting up the use of a Borough vehicle and assisting through the Assistant Borough Manager as it had been done previously. Well, last year, at no time did a non Borough employee operate any Borough equipment during the cleanup. Last year a person decided to spread a false rumor that I took it upon myself to basically to grab keys to a Borough truck without coordinating it and using it. Of course it's false, it didn't happen that way, I have no idea where the keys are even kept. Sadly, I'm planning the 2017 Canal Cleanup when I went to double check the use of the Borough truck through Mr. Seward as I did the previous year, I was informed that our Borough Manager would not okay it, which was actually a first for our Borough. Personally I was disappointed that this year for the first time in 30 years, the Borough did not actually participate in the cleanup, but as for the cleanup itself, we had a wonderful turnout with over 60 people in the Morrisville section. I want to thank the Boy Scout Troop 3, the two Council people who attended, the 30 members of IBEW Local 269 and the overwhelming support showed by the residents who gave up a Saturday morning to work in and alongside of the canal. I would like to thank Mr. Tom Gannon from the Bucks County DA's Office, he worked with me in holding a drug awareness assembly for the older students at the Morrisville High School. This was the second of it's kinds I was able to bring to the students and the third to our Borough. I would like to congratulate the Solid Rock Youth Center, I was there for their grand opening, it was amazing how they transformed the old Italian American Club into their new home and I wish them well. I would like to send congratulations to the Morrisville Senior Center, they held two great events recently. They had a car show which was a big hit and they had a talent show. I spent the afternoon as one of the panel of judges, at the talent show everyone was very talented, the room was packed and it was a good time. Congratulations to Morrisville Little League on the 2017 Parade and Opening Day ceremony. It was very nice to see so many excited children. They kicked off another season. I am currently working on bringing the third graders from Holy Trinity here as I do every year. This will be for their tour of Borough Hall which actually coincides with their unit they are studying on government. Narrowing us down here is the NARCAN training. I'll be hosting the NARCAN training seminar or session right here, Council Chambers, this Wednesday, April 19th at 7:00 p.m. There's still room left, but it's still important if anyone would like to attend, please just give me a call, I'll squeeze you in. Registration really is to ensure that everyone can receive a dose of NARCAN, and by attending this event, it does not mean in any way that you or a family member are at risk. There's many reasons that people would like to be included in learning about this. Maybe you want to be a good samaritan or just learn more about the topic. And lastly, since it's my daughters birthday, I'd like to wish her a Happy Birthday. Thank you.

Mr. Sooby stated, Dave, first of all, when Bobby asked me about using the truck, or a piece of equipment, I said what you need to do is bring it to an agenda meeting, we'll discuss it amongst Council and I believe they would have voted to let you use the equipment. However, even if I would have allowed you to use the equipment, we didn't have a Borough employee available at the cleanup to use the equipment to be covered under our insurance.

Mayor Rivella replied, well, Mr. Sooby, you are incorrect. First of all, the quote what you told a resident earlier this evening, it's been done that way for years. I believe it should have been administratively done. Like always, I was confirming that we had a Borough employee and the use of the truck and I was told no. We can go back and forth, but you shot it down the first time in 30 years and you don't know if we had a Borough employee. But it's a shame, but we managed to work around it and we will continue to.

Mr. Sooby replied, Dave, it's just like the stop sign.

Mayor Rivella replied, no it's not.

Mr. Sooby replied, yes it is. It's only because you know if one person — you're upset, which all you had to do was bring it to the agenda meeting, bring it up and it would have been over with. However, there are residents that believe that you shouldn't be using the equipment during the weekend and it's a great event. I would support it in any way possible.

Mayor Rivella stated, how about driving the truck? That was a joke. Listen Bob, I'll give you this. I know first hand that you got a hard time last year from one resident that the truck was used, however, I explained to you last year that a Borough employee — there's never been a civilian using the equipment, whether it's the chainsaw, the pickup, it doesn't matter. We would never put the Borough in that spot, it's always been a Borough employee. I was told flat out no. Listen, I was told you would not okay it.

Mr. Sooby replied, that's no true.

Mayor Rivella stated, you wanted the Borough Council to — the Borough Council has never had to do it. You're the administration. You could have administratively said yes like it's been done for 30 years. You can spin it any way you want.

Mr. Sooby replied, that isn't correct, Dave.

Mayor Rivella stated, no.

Mr. Sooby replied, no it isn't. It had nothing to do with. — what, I'm going to turn you down to —

Mayor Rivella replied, you did, you said no.

Mr. Sooby stated, no. That is not correct. Alright, well —

Mayor Rivella stated, you just got done saying —

Mr. Sooby stated, that's your interpretation.

Mr. Kerner stated, there were three canal clean ups in Morrisville as well, you handled one section. There was a section north of it and a section south of it.

Mr. Kerner asked, Chief would you like to give a report?

Mr. Cicero stated, yeah, make it short.

**Police Chief's Report - Chief George McClay** - He stated, am I keeping you awake sir? Just for the record, I was the person that drove the truck last year.

Mr. Sooby replied, again, all you had to do was ask.

Chief McClay stated, the Police Chief's Report tonight. We participated today in the active shooter. We were the first team into the building. It was a very successful project. The officers learned a lot. There was about 8 different departments along with fire departments. Stop signs, I am just as frustrated with the stop sign laws as everybody else is. The rules are, through PennDOT, we have to have 800 vehicles through an intersection in an 8 hour period. You're not going to get that anywhere in this Borough. They fall under PennDOT laws and they are very convoluted. I would love — there's so many places that common sense dictates that we should put a stop sign up. But the way the law reads, our hands are tied. So what Mr. Sooby did was right. What he did in the beginning was wrong, but taking it back down was right. But common sense says we need one there.

Mr. Kerner asked, can we organize a mass drive through if they are doing a traffic study. Just let us know when it is and everybody just —

Mr. Cicero stated, let me ask you a question George. You said the rule from PennDOT is 800 vehicles?

Chief McClay replied, in an 8 hour period.

Mr. Cicero stated, in an 8 hour period.

Chief McClay stated, that's 100 cars and hour.

Mr. Cicero replied, I know what it is. I lied when I said I couldn't do math. Let me ask you this, was the rule changed? At one time it was, the Borough has to conduct a study and determine if a stop sign is needed. I never remember seeing a number, has that changed, maybe it has.

Chief McClay replied, I have no idea if it has changed, I have what the current rulings are on my desk.

Mr. Cicero asked, and that's on a Borough road?

Chief McClay replied, yes. I think we should look to our State Legislatures and ask them to stop this and let the Borough Government take care of the Borough streets, just like they do if you have to pave them, you should be able to tell them whether it needs a stop sign. You don't

need traffic studies, it doesn't take a rocket scientist to stand there and go this would be a great place for a stop sign it would really slow people up, but their idea is that a stop sign is not for traffic management, it's for pedestrian management, which at most of these intersections you don't have that so it's very convoluted. I have all of it downstairs and I would be welcomed to show it to you in the meantime.

Mr. Cicero stated, I'd like to see it.

Chief McClay stated, okay. Crown Street situation, as you see, nobody is here from Crown Street tonight. The situation was resolved and they were very happy with the outcome. Pennsylvania Avenue there was complaints about the cars parking on the sidewalk and some of the elderly people weren't able to get down there. I spoke to everybody at all those houses. They agreed — they are still parked on the sidewalk, but they are only on the curb. It's a real small street there, but we all compromised and everybody is happy. I've spoken to the people that make the complaint and they are very happy with the situation.

Mr. Kerner asked, is that right out here?

Chief McClay replied, yes. Right across the street from Burns Pharmacy. We had one — we had a robbery this past month, it was by point of note, a white female at the cigar shop on Bridge Street. We had about five different phone calls on five different women. We have isolated it down to one person who — she is a very good suspect now. She is not from our Borough, she is not from Pennsylvania and that's as far as I'm going to go with it right now. But I do expect an arrest, I would think by the end of next week. God bless you. Last but not least, I try not to get into your politics here, I've stayed away from a lot of it, but sometimes it's the right thing to do. I've worked side by side with Bob, he guided me through a lot of stuff here, he has done a tremendous job. There are no contractual rules for your management and I don't know why you've gone through this over and over and over again and we come up here and then we go into this embarrassment about how much a guy should make as he's walking out the door. A guy who hasn't taken very much sick time. Him and I see each other every morning at 8:00, he's here. Why hasn't Council addressed this issue with contracts. I've asked from my contract for the last 6 months, and if you've noticed, mine was very easy, but it was very to the point. I want to make sure my contract is very very clear and if you want to attract good people to your Borough on your management side, you need to give them a contract. They shouldn't have to come back up here and beg for what they've earned over the last 30 years. So that's something on Council's part you really have to look at why we haven't done that. This man shouldn't be treated any different from any other union employees who only get 25% of their sick time. This is something Council needs to think about why this hasn't — this has been — Ronnie Scheese, look back over the gentleman that have left, this should have been addressed. So think about that. Thank you.

Mr. Kerner replied, thank you Chief. Next we have a Junior Councilperson's report.

**Junior Councilperson - Garlie St. Cyr** - She stated, good evening Council. Right now we are in the process of spring break and it's getting towards the end of the year so we're getting, I guess Morrisville is becoming a little bit lazier. But, we did do a Bulldog Brawl on Tuesday, so that was like a little competition between the teachers and the students and the teachers won that, not surprisingly, they we're really athletic some of them were like former coaches, so that

was pretty cool. We had the suicide prevention walk at Tech that you emailed me about, so it's not just Morrisville, it's schools across the County and our Guidance Counselor is asking for Morrisville presence there, so if you would like to register you can do that. There's been flyers out, I could probably get you guys one. Like Mayor Rivella said, there was a drug prevention assembly which was interesting. It was interesting, yeah, it was good. Shocking, but you know, drugs isn't pretty and they showed that and hopefully it hit home with a lot of the students and they were talking about it as we left and went to our classes, so that was good. We have our Modern Military class is taking a trip to the Battleship of New Jersey in like early May, like May 15th, so people are just signing up for that, it sounds interesting because we've been going through war. Battleships like that, they gone through especially World War II and stuff like that, they've gone through it. So a group of students, 6th through 12th are going to be participating in a play, they don't know what the play is about, I tried to ask people who were involved in it, it should be wrapping up regarding parts and script and they should be performing that in like the end of May, so you can keep a look out if you want to see that. That's all I have. Have a good night.

Mr. Kerner stated, thank you Garlie. Next we have committee reports, I'm not sure how we're going to handle this. If you have something to report from a committee.

Ms. Kronnagel asked, do you want us to just go down the line?

Mr. Kerner replied, yeah just —

### **REPORTS - COMMITTEES**

Ms. Kronnagel stated, okay. Just real quickly, from the Business Outreach Committee, you'll see at 10B, the Business Outreach Committee is asking the Borough Council to pass the motion to sponsor the Restaurant Week. It is scheduled for July 16th through July 22nd, we currently have 7 restaurants signed up. We have a Facebook page, I hope everybody goes and likes that Facebook page. There is no cost to the Borough, Mid-Atlantic printing on Bridge Street, Pennsylvania Avenue, pardon me, is helping defray the costs with printing — printing banners and posters. There is a design logo contest going on with the Artists of Morrisville, we need a logo for the banners, for the posters. If there's only one or two or three, we could probably put one on the poster, one on the banner, one on the cardboard things that will go on the tables. And lastly, for that, 5% of the total sales for all those restaurants will be donated to our Ambulance Squad, so I just want to thank them again for agreeing to do that. Thank you.

Mr. Kerner stated, thank you Corryn.

Mr. Pepitone stated, the Athletic Committee is in ongoing talks with the Morrisville Little League. Hopefully we will have a couple of proposals for the Borough Council relatively soon. I will keep you informed.

Ms. Larison stated, the Beautification Committee completed two cleanups. We did the Robert Morris Plaza here and we also did the Philadelphia and Pennsylvania Avenue. We got that all straightened up, I wouldn't let anyone go on the other side —

Mr. Kerner stated, wall.

Ms. Larison stated, because the wall. And this Saturday, starting at 10:00, we will be at Summerseat. Summerseat reached out to the Beautification Committee to help them clean up their grounds. So we're going to try and get as much done as we can this Saturday starting at 10:00. We'll have light refreshments and Summerseat has offered to do hotdogs and water. We're going to try and get as much done as we can and get everything all cleaned up in time for Patriots Day, so if anybody is interested in joining us this Saturday, we will be there. Bring your tools, your gloves, and just mark everything.

Mr. Kerner asked, what tools would you suggest?

Ms. Larison replied, shovels. We're going to try and get as much grass that is growing in the driveway out and we're going to be weeding around all the plaques that are on the property. There's the one that's down at the bottom of Legion and Clymer that really needs to be cleaned up and then there's one at the top by the beginning of the driveway, that also needs to be cleaned up. The hedges need to be trimmed. It's going to be — we're going to need as many volunteers as we can with that. So it's a big property and then eventually we would like to go in and do low maintenance plantings for them, moving some of the bulbs that are along the fence and then putting them in the front, by the front door, but that's going to be —

Mr. Kerner asked, the front door facing the M. R. Reiter property?

Ms. Larison replied, no, the front door facing Legion Avenue.

Mr. Kerner stated, that's the back door.

Ms. Larison stated, the back door, sorry.

Mr. Kerner stated, it's the most commonly used entrance.

Ms. Larison replied, yeah. So, we're going to try and get as much done as we can this Saturday. If we don't get everything done this Saturday, then we're probably going to do it the following weekend, we just haven't set another date for it yet.

Mr. Kerner asked, are you mowing?

Ms. Larison replied, no. This will just be weeding, cleaning, pulling out anything that doesn't belong, any evasive weeds will be pulled out. All the — some of the grass has grown over into the driveway, so we're going to try and edge it so that you can actually see where the driveway ends and the lawn begins. So we're going to try and get that all cleaned up as well.

Mr. Kerner stated, thank you. Any reports down at that end of the dais?

Mr. Parker stated, tomorrow is the Arts and Events Committee meeting and the topic is basically going to be the upcoming Chalk Art Festival to coincide with Patriots Day to be done in the driveway at M. R. Reiter.

Mr. Kerner stated, we will then move on to 8, finance, a motion to pay the bills. May I have a reading of the bill list?

### FINANCE

Mr. Sooby read the bill list.

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

**Motion** made by Ms. Kronnagel.

Mr. Cicero seconded the motion.

Mr. Kerner stated, Corryn and Vic. Any questions or comments on the bills? All those in favor say aye. Opposed?

**Motion** carried by voice vote, 8-0.

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**Motion 8B** - Motion to accept Robert A. Seward's Retirement Agreement effective December 31, 2017 per his March 10, 2017 letter.

**Motion** made by Mr. Parker.

Mr. Cicero seconded the motion.

Mr. Kerner asked, Ted and Vic. Any questions or comments on this?

Ms. Larison replied, yes.

Ms. Smith stated, yes. During the agenda meeting, I asked for a monetary amount to be put in there because it just has per, per his letter. And the public, because we — the municipal has a right to know per what that letter is. It becomes public record once you bring this and vote on it.

Mr. Kerner asked, do we include that letter with the minutes?

Ms. Smith replied, I don't know, I guess it would be up to —

Mr. Kerner asked, I mean is that enough, or do you want —

Ms. Smith stated, well, okay, let me, let me read something first. The Chief is right, your salaries and compensation should be governed by a policy, an agreement, something of that nature. The municipality has had for years, a salary resolution and in that salary resolution, it states exactly what people that are non bargaining employees get, and I'm going to read you some, not all, just parts of it. The salary resolution establishes a salary compensation, entitlement to vacation, sick leave, holiday pays and overtime paid for certain employees. Those certain employees are the ones that are not in your collective bargaining, which are going to be your management and anyone that's like not in your AFSME contract or your uniformed officers. They don't receive overtime or comp pay cause they're salaried employees. And there's a section in there just for sick time. And what they did was when the salary was — resolution was put in place, I was told that it was because the non-union workers would also get parity with also what your AFSME contract would be for what your people were in the union. So I don't think you would have gotten better than that which would have been if you look at the wording in there, it says exactly word for word, and section 5 for the resolution that also states what is in the AFSME contract. Okay. I'll read you part of that. When it comes to the — yeah, I'm sorry, section 3, except for those employees who are subject to the of employee bargaining with the Borough, each full-time employee is entitled to 12 sick days a year which may accumulate from year to year for a maximum of 175 days. That's anybody in or out of the contract. Sick leave can only be used for personal, sickness or Doctor appointments that can't be made during your work hours. All the different sections, but of course you're — like any other job you'd have to have a sick doctor's note after 3 days. Yes you can be released if you're using it for other than your sick. So converting it and using it as vacation time could violate that for whether you're in or out of the contract. Finally, upon termination or retirement, an employee shall receive a lump sum payment each day of unused sick pay that maxes as \$25.00 per. This — when we put a resolution, we put a resolution ordinance is our law, is our agreement. That's what this is. It hasn't been rescinded, it hasn't been amended. This is on our books. I believed and what I believe we are voting on is this. It has nothing to do with that employee. It's just that it has to be some type of for everyone and no where in the Borough Code do I see — and I've read it a lot — there's a provision that says that you can do that. That a salaried employee can take sick time and then can convert it and they've been given some kind of an agreement somewhere — I haven't seen that in black and white that says you can take sick time and convert it over. That I have an issue with. I will pay exactly what a salary resolution says, because that's exactly what you're AFSME contract people would get and I think that's fair. That's how I feel about that. That's just my personal option about that and I'm reading that right from what we have in our books.

Mr. Kerner asked, do you have a counterproposal for what Bobby proposed?

Mr. Sooby replied, wait, wait.

Mr. Parker stated, I have a question —

Mr. Kerner stated, I'm just curious —

Mr. Cicero stated, I have a comment.

Mr. Parker stated, I have a comment too.

Mr. Cicero stated, alright, go ahead, the others can go first of course.

Mr. Parker stated, I just want to know, do we have any record that Mr. Sooby signed I'm sorry, Mr. Seward, signed that he was advised of this. Was there any documentation because this is just making an ordinance, it doesn't change your appointment.

Mr. Cicero stated, it's a resolution.

Mr. Parker stated, it needs to be enforced properly. He needs to be given notice that he is going to lose all this accumulated time and I don't know, did — I'd like him to come out and say whether or not he actually signed anything to be notified by this.

Mr. Cicero stated, no, no, no, no, no, no. Let me go back to dawn of history when I retired. Council gave me a package, it was drawn up much the same like this was. The salary resolution did not come into play, I was not part of a union. I was not in any union contract and they gave me a package for me to retire which was generous I will admit. Now there were five other employees in recent history that retired, they were given benefits almost exactly the same that we see in this letter from Mr. Seward. Why we would change that procedure now escapes me unless there is another agenda that I'm not seeing, if we —

Ms. Smith stated, if —

Mr. Cicero stated, want to prevent this — wait a minute, I didn't interrupt anybody here. If we're gonna remedy this in the future from now on and I would strongly suggest that if we hire somebody outside the union contract that we do give them a contract as we did with Mr. Sooby, but there are at least five employees that I count in recent history that were given packages the same as this, why we would change that for Mr. Seward, I don't know.

Ms. Smith asked, my turn?

Mr. Cicero stated, anybody.

Ms. Smith replied, okay. I'll ask the Solicitor. Is the Council governed by the Borough Code of Pennsylvania?

Mr. Kilkeny replied, of course Council is governed by the Borough Code. That being said, what's before you is a resolution. A resolution can be changed, unlike, without advertising. Unlike a ordinance which would require legal advertising. As far as employee benefits, the Borough Code does not go into specificity as to how a municipality shall treat employee benefits, that's up to the local municipality to do that and set rules by governing. I do agree with the comments I heard this evening that most municipalities that I represent, which several others, deal with it one of two ways. Either a contract with a non employee such as Mr. Sooby or the Police Chief. But for a level lower than a Manger or a Police Chief, usually it's in the administrative code of the Borough, meaning there is an ordinance passed that specifies

exactly what employees will get related to sick time, personal time, and usually there is some kind of use or loose provision for that in that administrative code.

Mr. Kerner asked, is that something that would come out of the policy committee?

Mr. Kilkenny replied, yeah, you would adopt an ordinance stating that, you know, going forward.

Mr. Cicero stated, up to the present, is there anything in your opinion legally that could prevent this Council from enacting what is in this letter?

Mr. Kilkenny replied, no.

Mr. Cicero replied, thank you.

Ms. Larison asked, so then, you don't go by your resolution that was signed in 2011?

Ms. Smith stated, or 12.

Ms. Larison stated, anybody?

Mr. Kerner asked, any further questions?

Ms. Larison asked, is that what we're saying, we're not going by the resolution that you passed in 2011?

Mr. Kilkenny replied, I believe there was a motion on the floor and a second to go ahead and adopt Mr. Seward's separation pursuant to terms of his letter. What I said is, that no further advertisement or legal action — Council is free to change the resolution or a policy set a resolution by motion if they want to and that's what's on the floor this evening. If it were an ordinance, that's a different matter like I talked about if you did it in the administrative code.

Ms. Larison stated, I do not —

Mr. Kerner asked, shall we do a roll call?

Ms. Smith replied, I think so.

Mr. Sooby stated, Mrs. Smith.

Ms. Smith replied, no.

Mr. Sooby stated, Mr. Sanford.

Mr. Sanford replied, no.

Mr. Sooby stated, Mr. Pepitone.

Mr. Pepitone replied, no.

Mr. Sooby stated, Mr. Parker.

Mr. Parker replied, yes.

Mr. Sooby stated, Mrs. Larison.

Ms. Larison replied, no.

Mr. Sooby stated, Ms. Kronnagel.

Ms. Kronnagel replied, yes.

Mr. Sooby stated, Mr. Kerner.

Mr. Kerner replied, yes.

Mr. Sooby stated, Mr. Cicero.

Mr. Cicero replied, yes.

Mr. Sooby stated, it's a tie.

Mr. Kerner stated, Mr. Mayor.

Mayor Rivella stated, alright, well since I'm going to cast a vote, I'm going to weigh in. I think the Council needs to consider all of the sticking points here, because they want to be fiscally responsible, and I think they do. Ms. Burger said tonight, I'm not sure exactly who she meant, so I'm not going to assume anything, but she said that she was concerned that the Council set a precedent. Perhaps she was talking about the last Public Works Foreman, because he got basically the payout. It could have been another employee, it's happened before. I think she makes a good point, I think if the Council set a precedent, and if you don't follow that precedent, now the Council could be held liable with a legal suit from Mr. Seward. I also believe, if I recall correctly, he accumulated a really lot of sick days, 360 sick days, and I think typically you work 280 days, if you do the math, I think it's fiscally cheaper to to give him his retirement that he asked for rather than him call out sick for the next year. Of course, there was another good question that was asked, I hope Council does something to replace him, and speaking of that, I think the real issue here is moving forward, this Council needs to handle the next Code Enforcement Officer properly, whether that would be to put him in the Union, give him a contract, spell it out so this doesn't return over and over again. And I think this is probably the third such employee that this has happened in recent memory. Gee, it pains me to agree with Mr. Cicero, but why would you change your policy, you set a precedent, and I think legally, it puts you on the hook for a lot worse then what you're doing, so I'm going to have to agree to accept his agreement letter.

Mr. Kerner stated, Mayor breaks the tie in the affirmative and the motion is accepted.

**Motion** carried by roll call vote, 4-4 Mayor breaking the tie in favor of motion. (Nay votes being Ms. Larison, Mr. Pepitone, Mr. Sanford and Ms. Smith)

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Mr. Kerner stated, we have no Unfinished Business, moving on to New Business.

### **UNFINISHED BUSINESS**

There was no unfinished business this evening.

### **NEW BUSINESS**

**Motion** 10A - Motion to approve the Girl Scouts of America ColorFun 5k Run/Walk & ColorFest party in Williamson Park on May 21, 2017, pending final details and all approvals. (More information is available @ [www.colorfun5krun.com](http://www.colorfun5krun.com))

**Motion** made by Ms. Kronnagel.

Mr. Parker seconded the motion.

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

**Motion** passes by voice vote, 8-0.

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**Motion** 10B - Motion for Morrisville Borough to sponsor the Restaurant Week scheduled for July 16-July 22.

**Motion** made by Ms. Kronnagel

Mr. Parker seconded the motion.

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

**Motion** passes by voice vote, 8-0.

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**Motion** 10C - Motion to hire Jeffery McKee as a Part Time Morrisville Borough Police Officer.

**Motion** made by Mr. Parker.

Ms. Kronnagel seconded the motion.

Mr. Kerner stated, Ted and Corryn, mixing it up.

Mayor Rivella stated, can I add just for the publics knowledge, this was actually brought in kind of last moment, what we're asking for tonight is for the Council to hire this officer as a part-time Morrisville Officer. What this will do is, it will allow him to be able to start training, get his uniforms, that type of thing. And we'll bring him back next month for a public swearing in so everyone has an opportunity to meet him. Thank you.

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

**Motion** passes by voice vote, 8-0.

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### **ANNOUNCEMENTS**

Mr. Kerner stated, I have announcements here. I'd just like to say from April 28th to the 14th of May, the Explorers Club is running at Actor's Net. It's one I've been really excited to see since I saw it was on the schedule and I would encourage everybody to get out and see the play. And then also that weekend, the first weekend, is the Library Book Sale, so Thursday the 27th from 6-8. Friday the 28th from 4-8, and Saturday the 29th from 12-2, there will be books on sale in the basement of the Library. All proceeds benefit the Library. Any other announcements?

Ms. Larison stated, yeah, I have something to say. I wish Bobby the best. I know he's had a long time here and everyone appreciates all the work that you do and have done in the Borough, so you will be missed. I'm sure I'll still see you on my street and wave hi. But with that being said, I'm — everybody knows I'm new to Council and what you gave previous employees I didn't agree with. I said it last year, I'll say it again. You're not being responsible, you're not following your own resolution, you're not following your own contract that you signed. It's in the contract, and it —

Mr. Kerner stated, I don't think there was a contract.

Ms. Larison stated, it baffles me. It really does.

Mr. Kerner stated, that was a concern. I think that going forward, everybody on this Council agrees we have to have contracts.

Ms. Larison stated, but nobody even said let's go back and say Bob, we can't afford to give you this but how about this. We didn't even do that.

Ms. Smith stated, nope.

Ms. Larison stated, we didn't do it. And I'm really disappointed that together we really could have resolved this very easily. But again, we chose not to. So, thank you.

Mr. Kerner asked, anyone else for announcements?

Mayor Rivella stated, I have one question, and it's on a different topic. A couple of months ago, I believe the Council had asked our Solicitor to prepare something on the medical marijuana dispensaries. I don't recall getting that. Did you — was that distributed, do you have that for us?

Mr. Kilkenny stated, I was asked to hold off on that by the Borough Manager.

Mr. Sooby stated, yes, and now that we have funds, we can move forward with it. So, I'll contact Sean Tomorrow and we'll move forward on it.

Mayor Rivella stated, what do you mean by funds, I don't understand.

Mr. Kerner replied, taxes came in.

Ms. Smith stated, plenty of money.

Mr. Kerner stated, correct. The other thing that I have on here from the agenda meeting is moving the meeting for next month. If we bump everything back, the next Monday and Tuesday, it puts our meeting on election day.

Ms. Kronnagel stated, I would just suggest cancelling the agenda meeting and moving the Council meeting to the following Monday. That would be my suggestion.

Mr. Kerner stated, the following Monday is Planning Commission.

Ms. Kronnagel stated, the following Tuesday.

Mr. Kerner replied, the following Tuesday is available.

Ms. Kronnagel stated, let's go with the following Tuesday, what is that April, or excuse me, May 23rd.

Mr. Kerner replied, May 23rd.

Mr. Parker stated, that's fine.

Mr. Kerner stated, if we wanted to do an agenda meeting on May 17th, we could. If we don't want to have one at all — the one we had this month was 15 minutes.

Ms. Kronnagel stated, yeah, it was brief.

Mr. Kerner stated, so if we're okay with it, we'll just advertise for next months meeting to be May 23rd.

Mr. Parker replied, I'm okay with it.

Ms. Larison asked, why don't we just cancel the agenda meeting?

Mr. Parker stated, we are.

Ms. Kronnagel stated, that's what we said.

Mr. Kerner stated, yeah, we'll cancel the agenda meeting and we'll just advertise the regular meeting for the —

Ms. Kronnagel stated, right.

Mr. Kerner asked, is that something we need to vote on?

Ms. Kronnagel stated, no, I think we could agree.

Mr. Kerner asked, or just something we discuss?

Ms. Kronnagel stated, I do have one thing to say, are we done that.

Mr. Kilkenney stated, normally you discuss it and if there's usually a consensus, if not I would just suggest a motion to move the meeting and then direct Mr. Sooby to advertise it as such. If that's what you intend.

Ms. Larison asked, so when do you want to move the agenda meeting to?

Mr. Kerner replied, we're not going to have an agenda meeting.

Ms. Larison stated, and when — so then why would you need to move the regular meeting that month? If it's the 15th, everybody — I'm not understanding why you want to move the regular meeting.

Ms. Kronnagel stated, I think it was just because people are going to be tied up with the PSAB conference.

Ms. Larison stated, the PSAB is from the 7th and we come back on the 10th. That's five days.

Mr. Kerner stated, that's just right before election day. That's the only concern.

Mr. Parker replied, yeah. I won't be able to make it, so I'm sure other people won't be able to make it.

Ms. Smith stated, alright, so what do we do.

Mr. Kerner stated, it doesn't matter to me either way. Election day is going to be a long day, it always is.

Ms. Larison stated, right.

Mr. Parker stated, I have prep to do, so —

Ms. Smith stated, alright, so you're —

Ms. Kronnagel stated, you want to make a motion to move the Council meeting —

Mr. Parker stated, yeah.

Ms. Kronnagel stated, to May 23rd —

Mr. Parker replied, yup.

Ms. Kronnagel stated, and see what happens.

Ms. Larison stated, why wouldn't you just move it to the following — oh, the following Monday somebody else is here, gotcha.

Mr. Kerner stated, yeah, the following Monday is Planning Commission.

Ms. Larison stated, okay.

Mr. Sooby stated, we're going to move the —

Mr. Parker stated, 23rd.

Mr. Sooby stated, the regular meeting to the 23rd.

Mr. Parker replied, yes.

Mr. Kerner stated, and we'll add that to New Business, 10D, right?

Mayor Rivella replied, yeah, why not.

Mr. Kerner stated, a motion to move the Regular scheduled Meeting to May 23rd. The May Borough Council Meeting to May 23rd.

Ms. Kronnagel stated, so moved.

Mr. Parker stated, second.

Mr. Kerner stated, hold on, hold on.

Ms. Kronnagel stated, write fast.

Mr. Kerner stated, we do have to open up public comment again.

Ms. Kronnagel stated, oh, that's right.

Mr. Kerner asked, anyone from the public like to comment on this?

### **HEARING OF THE PUBLIC RE-OPENED**

***There being that no one wished to speak, public comment portion was closed.***

### **NEW BUSINESS**

**Motion** 10D - Motion to move the May 15th Council Meeting to May 23rd.

**Motion** made by Ms. Kronnagel.

Mr. Parker seconded the motion.

Mr. Kerner stated, that's Corryn and Ted, any questions or comments? All those in favor say aye. Opposed?

**Motion** passes by voice vote, 8-0.

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Mr. Kerner stated, there's nothing else on the agenda.

Ms. Kronnagel stated, yes, sorry, I just have something real quick.

Mr. Kerner stated whoa. Okay, let's go, let's go.

### **BOROUGH OFFICIALS**

Ms. Kronnagel stated, sorry. I have all this stuff. Okay, real quick, on May 31st, I had the meeting with Representatives from PennDOT and State Representative Perry Warren. I sent a detailed memo to all of Council and the Mayor, but just briefly for the public's knowledge, the traffic study that has been requested for South Pennsylvania Avenue should be completed by the end of the spring and hopefully you will receive a copy of that shortly thereafter. Also, a couple of years ago, I had PennDot up here to look at the bridge right up here near Burns Pharmacy because it was falling apart. That was about 2015. In 2016, there was some

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construction and it was on the list for 2018 because it was marked as structurally deficient so I brought that up in this meeting and I was also told that they had initially lost the funding for that. However, I did follow up with the County Planning Commission and have since been reassured that it is been back on for January 18. So again, even though it is structurally deficient, it's still safe, but because it was already on the list and because it has been designated as such, it has been placed right back on the list, so that is pretty much all I had to say about that. If anybody has any other questions, please let me know. Thank you.

Mr. Kerner stated, thank you Corryn. Now, if there's no further business, may I have a motion to adjourn?

### **ADJOURNMENT**

**Motion** to adjourn.

**Motion** made by Mr. Parker and seconded by Ms. Kronnagel.

Meeting adjourned.