

MEETING MINUTES  
MORRISVILLE BOROUGH COUNCIL  
REGULAR MEETING

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

The Morrisville Borough Council met on Monday, July 17, 2017 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 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 (arrived at 7:32)  
Debbie Smith

Borough Officials: Mayor David Rivella  
Robert C. Sooby, Borough Manager  
Sean Kilkenny, Solicitor  
John Later, Superintendent of Public Works

Junior Councilperson: Garlie St. Cyr

Not Present: Robert A. Seward, Assistant Borough Manager/Code Enforcement

Mr. Kerner stated, now we will move on to our special presentations which I will take a bit out of order since I do not see our Junior Councilperson here. We will begin with 4B.

**SPECIAL PRESENTATIONS**

4B - Proclamation by Mayor David Rivella recognizing Morrisville resident Petty Officer Second Class Delroy O. Snow, a 14 year U.S. Navy veteran, for his service to our country and for his donation of an American flag that proudly flew in Afghanistan.

(Audience claps)

State Representative Perry Warren presented Officer Delroy O. Snow with a citation on behalf of the State and the Pennsylvania House of Representatives.

(Audience claps)

4A - Recognition of Garlie St Cyr, Junior Council Person, by PSAB past president, Edward Child.

(Audience claps)

4C - Presentation by Samantha Brinker, Gilmore & Associates, Inc., Morrisville Borough MS4 Pollutant Reduction Plan.

**HEARING OF THE PUBLIC**

1. Mike Yager - *338 Melvin Court N.*  
He wanted to know why our health insurance has increased over the last two years, is any of that or some of that due to the free Cobra that has been given out over the last couple of years, if so why is the MMA responsible for that since that's something the Borough decided to do. He wanted to remind people that August 1st is Night Out in Morrisville in Williamson Park at 6:00 pm.
2. Holly Harman - *S. Pennsylvania Avenue*  
She wanted to remind everyone about National Night Out. She had a question about the bill list and the miscellaneous dumping charges to Waste Management.

Mr. Sooby stated, that's a cost based on our amount of dumping at the landfill, but we get reimbursement back from Republic.

3. Eileen Dreisbach - *75 Harrison Avenue*  
She had questions on the bill list. Johnson Controls energy savings warranty, why are we paying them \$755.00?

Mr. Sooby stated, that is an incurred cost we had from the beginning and our PECO rebates pay for that.

Ms. Dreisbach wanted to know if we've had any PECO rebates.

Mr. Sooby stated, each year they come and evaluate our cost savings and they guarantee a percentage of the costs that are accrued would be enough to pay for the JCI contract and I'm actually going to meet with them next week.

Ms. Dreisbach wanted to know if we have been saving?

Mr. Sooby stated, yes.

Ms. Dreisbach asked about the Morrisville Borough capital reserve, transfer of \$61,735.00 for equipment, she wanted to know if that was to pay for something we already bought or if we were buying something else.

Mr. Sooby stated, no. That is from the original vote the Council had to put the 1 mil into the budget line due to the fact that as with our previous manager, he had to go out and spend a lot of funds on behalf of updating our equipment. That's to protect us from never having to go through that again.

Ms. Dreisbach talked about a street light and a tree in the 4th ward on Doloro and Carlisle and that a resident had contacted the Borough and Mr. Parker and it still isn't fixed.

Mr. Parker stated, I just want to address one thing. There was back and forth between myself and the writer of the email and he clarified to me that it was indeed out, it wasn't just the tree that was an issue, so both of them have been relayed to the Superintendent.

4. *Jane Burger - 90 West Maple Avenue*

She talked about the picnic and whether it is called the Mayor's Picnic or Morrisville Family Day Picnic, it has been a tradition going back at least four or five decades. She asked if it was going to become a taxpayer funded event. She talked about campaign donations to Friends of Dave Rivella and Democrats for Progress each have shy of \$8,000, she believes it is permissible for those funds to be used for a community event. She talked about the arts and events committee and how one would go before the committee to request sponsorship or co-sponsorship. She stated the budget line would cover the cost for the Mayor's Picnic and also the Jazz Fest would come out of that line. We are in July, the picnic is Labor Day weekend and I believe the Jazz Fest is usually in September. When is the committee going to meet? When are these two event coordinators going to provide a budget of what the event is going to cost and what's being expected of the taxpayers. She asked why Mayor Rivella waited so long to contact the developer of the Cloverleaf property since he had the contact information for the Solicitor which is in the bill list. She talked about the

retirement settlement and that she didn't see where it is permitted in the Borough Code. She talked about the salary resolution, the last one was in 2012. She talked about the Johnson Controls performance contract and if we need them down the road, we could possibly get someone else to do the work. She talked about the transfer of the 1 mil to the Capital Reserve Fund and she hopes the Borough waits until the end of the year to transfer the \$60,000.00 out of the general fund to the Capital Reserve Fund. She asked if the representative could explain what the four S's are in MS4. She talked about the storm basin being redone in the 4th ward, she wanted to know if we were going to get a credit down the road because we well exceeded the 6,000 lb. limit.

5. William Farrell - *347 N. Pennsylvania Avenue*  
He asked Mr. Sooby for an update on the delinquent garbage bills. What's your total at this point?

Mr. Sooby stated, we receive a payment every week. At the end of June there was \$183,000.00.

Mr. Farrell talked about passing the ordinance for Cloverleaf. He agrees with Ms. Burger that Mayor Rivella waited until last moment and then he brought up the cooking part of it. Bob White was here and he is involved in the process of the place that's being built, maybe someone should have clarified it.

Mr. Sooby stated, Mr. Farrell, in the Riverview Neighborhood zoning, you can have restaurants, that is covered by the zoning.

Mr. Farrell stated, the particular ordinance you passed was no cooking.

Mr. Sooby stated, it didn't say that, it said no odor.

Ms. Kronnagel stated, that was my mistake, it didn't mention no cooking in the ordinance, it said no odor in the ordinance.

Mr. Farrell stated, that he went online and he didn't have a problem finding a number. He asked Mayor Rivella if when he went to visit, did he present himself as the Mayor or as private citizen? If private citizens can go, then he'll take a trip down. He talked about taking a civics class when he went to school. He stated that Mr. Rivella read a transcript stating that he had been given permission to read it. Mr. Farrell asked the solicitor if that was legal for him to read it, or does the person have to be present to give permission.

Sean Kilkenny stated, I'll be honest with you Mr. Farrell, I don't know what you're talking about, but I'll be happy to talk to you after the meeting.

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Mr. Farrell stated, that a transcript was read by Mr. Rivella with a phone conversation involving the plausibility of the Police Department. If I come up and I say I have a transcript from Jane Burger, and I read it, is that legal or not legal?

Sean Kilkenny stated, this is really not a court proceeding. The Mayor can read a transcript or anything else he wants. That's his right.

Mr. Farrell asked, okay, but there's nothing illegal, correct?

Sean Kilkenny stated, no. There's nothing illegal.

6. **Perry Warren - Pennsylvania State Representative**  
He stated that he represents the 31st Legislative District, which includes wards 1, 2 and 3 of Morrisville. Thank you Corryn Kronnagel for inviting me here tonight for the presentation to Mr. Snow. I am honored to be here and to meet him. I had an opportunity to speak to him for a moment in the back of the room and I was honored to be here tonight. I just want to remind folks that our office is available for constituent services at 91 South Main Street in Yardley. That's Monday through Friday, 9-5 and also, we maintain office hours here in this room actually in Borough Hall the second and fourth Tuesdays of each month from noon to 4:00. My staff is here and when I am not in Harrisburg I am here and we are happy to meet with folks from Morrisville or from anywhere in the District if it's more convenient to come here on the 2nd and 4th Tuesdays from 12:00 to 4:00 or any time in Yardley. Thank you again for having me tonight.

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

### **APPROVAL OF MINUTES**

There were no minutes to approve this evening.

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

**Borough Manager's Report - Robert C. Sooby** - He stated, last week on July 12th, the Commissioners approved our additional money that we needed to do the demo at M. R. Reiter School. We will be receiving a packet from the County on instructions on how to move forward with our open space funding and the CDBG HUD Grant for the \$102,000.00. Also they said to me today, if they receive the funding from the Federal Government which they are looking for

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1.7 million. They assured us that they will grant us the funding for our playground, not what we asked for, somewhere around \$140,000.00, hopefully this will happen and we can start replacing the playground that we took down, also, I'd like to announce that the monies owed from the sanitation is still moving. I believe we are on schedule to meet what we are requiring to — our funding in our budget and let's keep our fingers crossed that good things keep happening. Thank you.

**Solicitor's Report - Sean Kilkenny** - He stated, thank you very much Mr. President. This month our office has worked with staff on voluminous right to know requests. We've also worked with advising staff on zoning issues and worked with staff on the HUD issue that was mentioned by Mr. Sooby. That concludes my report. Thank you.

Mr. Kerner stated, Engineer's Report we already had, that was 4C. Do you want to clarify what MS4 stands for since we have you here and there may be some inquiring minds in the audience.

Samantha Brinker stated, yes MS4 stands for Municipal Separate Storm Sewer System.

**Mayor's Report - David Rivella** - He stated, thank you Fred. A couple of items this evening. I did want to make sure everyone was aware as mentioned, the Police Department did file for the COPS Grant. I don't believe there was an actual date when we would be notified, but of course as soon as we do, we'll let everyone know, of course we are hoping for good news. I also wanted to be sure everyone knew that as was mentioned when Officer Da'Lessio retired, Chief McClay said he was going to talk to him about remaining with the department on a part-time basis and it looks like that is what's going to be happening, so I want to make sure everyone knew that. We didn't actually lose Officer Da'Lessio, he'll still be around helping out which is I think good news. As far as public comment tonight, I'm just reminded of an old saying that no good deed goes unpunished. I think it's funny that anyone would try to vilify me for spending my time, my resources to get some additional information to share with the Council. I was not obligated in any way to do that. I didn't believe anyone up here that was voting did it, I didn't know if they did simply because I couldn't get a phone number. I did ask the solicitor, they worked on the ordinance so if they had it they gave me some information. Funny, when I was there at Passy's he joked, said good thing I didn't call the number online he said because that would have been a salesman he would have tried to probably sign me up for some package. As far as the picnic, it's nice that people are always concerned, however, the Borough has always helped out for many, many years, it believe it used to come out of the Rec Fund, now there is a line item for it, I thought that would actually help clarify it, so I hope that helps answer everyone and helps them feel better. Have a good evening.

**Police Chief's Report - Chief George McClay** - He stated, Mayor, Council, this morning I had the honor of being invited to the swearing in of the new Drug Task Force for the Bucks County District Attorney's Office. That was something I spearheaded, was able to receive a million dollars from our Commissioners for a new Drug Task Force which was way overdue. I now have 6 detectives, that's the only thing they are going to be doing, is drugs in the County of Bucks. Theft from autos this month, we had 21 thefts in the Borough, most of those are theft from autos. Most of those occur in the middle of the night, if not all of them. All of them are unlocked vehicles. Please tell your constituents when they lock their door at night time, hit

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their remote and lock their doors. I worked the following night after we had four last week and I drove around and locked peoples doors. I'm amazed at that, so just please pass that word along if you would please. Our homicide update this month, the house is now vacant on Carlisle Street, so that is very good news. I did meet with the detectives this morning from Bucks County and they are still actively working on this job and they expect some kind of result within the next few months. Don't expect an arrest on a homicide but we are expecting some other kind of results. That would be it, but please pass along to your constituents about trying to lock their doors up at night time, that would really help things tremendously. Thank you.

**Junior Councilperson - Garlie St. Cyr** - There was no Junior Councilperson's Report this evening.

### **REPORTS - COMMITTEES**

Ms. Kronnagel stated, thank you Council President. Just briefly, Restaurant Week started yesterday and I think it's so far so good. I have extra posters on the table here if anybody knows of where they can hang one up, please feel free to take them. I just have a quick thank you list for everyone that has helped out. I want to thank everyone that has liked and shared our Facebook page, that's Morrisville Restaurant Week, the Morrisville Business Association, particularly Sandra Westhrope for helping out with the advertising and reaching out to all of the MBA members, MidAtlantic Printing for their generous donation for the table toppers, the banner and the posters. MidAtlantic Printing is located in the old Post Office on Pennsylvania Avenue right next to the Baptist Church and they can print everything from large banners to brochures to business cards. Actor's Net, they have a promotion of buy one get one free for each dine in dinner couple, their current show is Threepenny Opera and will go until July 30th, The Artists of Morrisville Group for designing our beautiful logos, Visit Bucks County for placing the event on their page and helping with advertising, Bucks Local News for their really great write up this past Friday of Restaurant Week, and of all the individual participating restaurants, Bucks County Taste for placing of Restaurant Week on their list of 10 things you've got to do this week in Bucks, our Public Works Department for hanging the banner, and finally and I think probably most importantly, our restaurants themselves for participating for the first year and agreeing to donate 5% to our ambulance squad, without them we wouldn't have a restaurant week in the first place. This is a real community event that was held by many people, groups, organizations and businesses in our town and I want to thank you all again for supporting it in it's inaugural year. Thank you.

Ms. Smith stated, the only thing I want to mention, our Beautification, I didn't get a chance to mention it at the agenda meeting was that one of the projects that we would like to look at in the future and I would like permission from the Council for is to utilize the old skate park that's down near the Senior Center. It hasn't been used in a long time and we've thought about looking into how to do some raised beds in there like Bristol does, we haven't gotten any information on it yet, we'd like to bring it to the council first to ask if it was okay to use that area because that is municipal ground. So if that's okay with everybody we'd like to use that.

Discussion ensued regarding using the skate park for a community garden. Council will discuss it further at the next agenda meeting.

## **FINANCE**

Mr. Sooby read the bill list.

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

**Motion** made by Ms. Kronnagel.

Mr. Sooby stated, I would like to add something to the bill list. We have a tree that's out here, it seems to be at least 100 years old from what I was told. It has the Japanese Borer that's a bug that's devastating all Ash trees all over Bucks County. We had an individual from our community reach out to a individual who deals with this type of insect and they gave us a price of \$470.00. I'd like to have that added to the bill list, however, the MMA agreed to pay half.

Ms. Kronnagel asked, is that to take the tree down?

Mr. Sooby replied, that's to save it.

Mr. Kerner stated, with that addition to the bill list, Corryn, does your motion still stand?

Ms. Kronnagel replied, I will amend my motion, yes.

Ms. Smith seconded the motion.

Mr. Kerner asked, any other questions or comments?

Mr. Sanford stated, yeah, I have one. On the report date of 7/13/17, expenditure review GL-1707, on page 2. I am abstaining on voting for any invoices for vendor Sanford Motors Ltd. due to family member conflict of interest in the total amount of \$1,647.52.

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

Ms. Smith replied, yeah, I have a couple. The first page in for Armour and Sons Electric, \$5,079.00 for lights on Bridge Street to replace, I'm noticing the other night that a lot of the lights are out down there, like 5 maybe 6 of them, is that what this is for, or is that something different.

Mr. Sooby replied, no that was for replacement of the light.

Ms. Smith asked, one light? A traffic light?

Mr. Sooby replied, yes. That was reimbursed to us, \$5,000.00 was reimbursed to us.

Ms. Smith stated, okay, so we paid that, they are paying us back, the insurance company?

Mr. Sooby replied, they already gave us the money.

Ms. Smith asked, okay why are the lights out down there then?

Mr. Sooby stated, well, I'll make sure my Public Works Director takes notice of that and we'll make sure that's taken care of.

Ms. Smith replied, okay, the other thing and it's been mentioned a couple of times tonight but I've got a real problem with that transfer of that \$61,735.00, only for the fact that, I understand it's in the budget, I understand it gets moved for heavy equipment, I understand why it was put in there, but I also understand that we've been running a deficit and I didn't see the necessary move to have to do that right now as the taxes were coming in, we should have waited until after budget meetings to decide if we need to do that, I don't think it was necessary, we had nothing in the account if something was to go wrong on the equipment to replace it, I just didn't think it was necessary. Thank you.

Mr. Kerner asked, any one else with 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 approve a tax refund for the total amount of \$129.19; \$127.73 for 2017. Tax refund is due to owners Richard and Mary D. Stawski for Parcel #24-003-080-009, property address is 30 Lynns Court, Morrisville, PA 19067.

**Motion** made by Ms. Smith.

Ms. Kronnagel seconded the motion.

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

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

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**Motion 8C** - Motion to approve a tax refund for the total amount of \$204.86; \$204.86 for 2017. Tax refund is due to owner Kirt Hill for Parcel #24-009-267, property address is 41 Park Avenue, Morrisville, PA 19067.

**Motion** made by Ms. Smith.

Ms. Kronnagel seconded the motion.

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

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

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### **UNFINISHED BUSINESS**

There was no unfinished business to discuss this evening.

### **NEW BUSINESS**

**Motion 10A** - Motion to approve Agreement between the Morrisville Borough and the Morrisville Municipal Authority.

**Motion** made by Ms. Kronnagel.

Mr. Sanford seconded the motion.

Mr. Kerner asked, any questions or comments on that motion?

Ms. Smith stated, I just have one comment to make. I attended the MMA meetings and it was stated by the Solicitor there that when it came to the vote for this MMA contract that Mr. Parker and Mr. Cicero should recuse from voting on that due to conflict of interest for the fact that they are on the MMA Board.

Sean Kilkenny stated, I was asked that by Mr. Parker earlier this evening and Mr. Cicero, my understanding is that it is an unpaid board, so they are not receiving pecuniary benefit meaning financial benefit for being on that board so there is no legal requirement for them to recuse themselves.

Ms. Smith replied, wow, I'll take that back to Mr. Downey.

Mr. Kilkenny replied, you may.

Mr. Kerner asked, are there any other questions or comments on this vote or this motion? We'll do a roll call.

**Motion** passes by roll call vote, 8-0.

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**Motion** 10B - Motion to approve Morrisville Borough co-partnering with the Friends of the Morrisville Dog Park for the 1st Annual Halloween Pet Parade, to be held on a Saturday or Sunday in October 2017, specific date to be named later.

Mr. Cicero asked, do pets go in the parade?

Mr. Kerner stated, I believe that's what we discussed at our agenda meeting.

Ms. Kronnagel asked, as opposed to what, what else could it be?

Mr. Kerner stated, let's get a motion first, then we'll discuss it.

**Motion** made by Ms. Kronnagel.

Ms. Smith seconded the motion.

Mr. Kerner stated, alright, now let's talk about it. From what I understand, the parade will be on the riverside of the dog park before you get to Delmorr Avenue in the grassy area. It will not impede traffic and will be adorable.

Ms. Kronnagel stated, and will probably have dogs in costumes.

Mr. Kerner stated, a Saturday or Sunday in October.

Mr. Cicero stated, so the pets are going to parade?

Ms. Kronnagel stated, yes, in costumes.

Mr. Cicero replied, oh, okay.

Ms. Kronnagel stated, cats dressing as dogs, dogs dressing as cats.

Mr. Kerner stated, I believe what I heard was there will be tables there for vendors to promote pet products. Did I hear that?

Ms. Kronnagel replied, I think I remember that, yes.

Mr. Kerner stated, it's in the ether there.

Ms. Kronnagel stated, pet happy, pet friendly I should say, vendors.

Mr. Cicero stated, one of the least controversial things we've —

Mr. Sanford stated, I have a question, is there a time set for this?

Mr. Kerner replied, they don't have a date, so I don't think they have a time either.

Mr. Sanford stated, a date and a time.

Mr. Kerner stated, I would say daylight hours, on a Saturday or Sunday in October.

Mr. Cicero stated, pet parade, I like that.

Mr. Kerner stated, assuming daylight, I mean Halloween could be in the evening.

Mr. Cicero stated, that's any kind of pet, right?

Ms. Kronnagel replied, yeah, bring your lizard.

Mr. Kerner stated, we have a motion and our second. All those in favor of this say aye. Opposed?

**Motion** passes by roll call vote, 8-0.

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### **ANNOUNCEMENTS**

Mr. Kerner stated, we move then into the funnest part of the evening, announcements. Does anyone have any? We've heard about restaurant week, it's been phenomenal the two places that I've gone to so far, I can't wait to do the other five if my wife will let me. I also saw the play at Actor's Net, if you can get those buy one get one free tickets, I would recommend it. I'm not a big fan of musicals, but it was okay.

Ms. Kronnagel asked, are you under Borough Officials? I wasn't sure when to —

Mr. Kerner stated, sure, go ahead.

### **BOROUGH OFFICIALS**

Ms. Kronnagel stated, just real quickly. School will be here before you know it, so our Junior Councilperson for 2017 - 2018 this year, just — we're going to implement a one page essay why I want to be the Morrisville Junior Councilperson, that way every council member can weigh in, they don't have to be here for — if they can't make it to the interviews. Also, just briefly, I've had people at the Senior Center and Summerseat state that they could use any kind of student volunteers there if your child, if you know somebody that needs volunteer hours for school or for Boy Scouts or any other thing like that, give them a call. Thank you.

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**ADJOURNMENT**

**Motion** to adjourn.

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

Meeting adjourned.