

MEETING MINUTES
MORRISVILLE BOROUGH COUNCIL
REGULAR MEETING

TUESDAY, MAY 23, 2017
7:30 p.m.

The Morrisville Borough Council met on Tuesday, May 23, 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 begin with a moment of silent prayer followed by the Pledge of Allegiance. While you see only 7 council people in front of you, Bill Pepitone has called in and is on the speaker. I will now ask for a roll call please.

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 (by phone)
Todd Sanford
Debbie Smith

Borough Officials: Mayor David Rivella
Robert C. Sooby, Borough Manager
Natasha Taylor Smith, Solicitor
John Later, Superintendent of Public Works

Not Present: Robert A. Seward, Assistant Borough Manager/Code Enforcement
Garlie St. Cyr, Junior Councilperson

SPECIAL PRESENTATIONS

Mr. Kerner stated, looking at the agenda as you may have seen out in the crowd, we have 4E, a recognition of Garlie St. Cyr, Junior Councilperson, she is not here, nor is Edward Child, so

we'll be forgoing that tonight and I will hand 4 over to the Mayor for the most part. Beginning with 4A, swearing in of a Part-Time Officer Jeffrey McKee.

Mayor Rivella stated, yeah, I believe Chief McClay wants to say a word or two first.

Chief McClay stated, good evening and welcome to the Morrisville Police Departments 3rd Annual Police Awards Ceremony. This past week throughout the country we have more than — we have celebrated lives of 135 heroes who laid down their lives so that you may enjoy the freedoms that you have. This is a uniquely difficult time in law enforcement. This period has been one of our hardest times in my 30 year career. Our officers are called in a dangerous and difficult time. Officers are facing challenges that those who came before us could hardly ever imagine. Today's officers are being pulled in so many different directions by so many different sources. Our community, our leaders, our media, of course our media. Our officers are in a time where a narrative has been formed through social media where a lack of true and accurate information overwhelms actual data. Social media is driving the narrative of what is being perceived as real police misconduct, possible misconduct and perceived misconduct. Our officers today who stand with you tonight, they know our people they come to serve, they come to help to serve our communities and to serve all the people who live here, whatever race, nationality, religion, gender or sexual orientation that they may be. Our officers are signed up to serve all the people all the time. Our officers know what is good policing, they know what good policing looks like, they know it because they live it everyday, up close, respectful, discipline, firm, fair, lawful and transparent law enforcement is what always works best, even in the neighborhood that has the most significant crime problems. Our officers understand the combination of kindness and toughness, humility, confidence and decency and the determination that delivers the best results of our community. Our officers here are goodhearted men and women, who come to work every day to help people. Tonight I will be talking about some great examples of how our officers have served our community, ways in which our officers have teamed up together to solve crimes that have taken dangerous felons off the street. So we can assure that when you go to a local store, you know you can go there safe. Or when you put your head down at night you know that your family is in good hands. Tonight we are going to salute those officers. Tonight we are going to start with saluting our new officer and swearing him in, Jeffrey McKee will you please come up. Mayor Rivella will you please do the honors.

Mayor Rivella swore in Officer Jeffrey McKee.

Chief McClay stated, you're going to see tonight, we have a lot of awards, this has been a very busy year for us. We had some bad robberies, all robberies are bad. Almost all of them have been solved and most of them have gone to jail. John Aspromonti will you step up please. In recognition of your actions you are hereby officially commended for your actions taken on November 9, 2016 at the Morrisville Shopping Center. On this date, you responded to a radio call, a report of a female inside a vehicle in cardiac arrest. You located the vehicle and found Vanessa Pettio unresponsive and not breathing. You initiated two doses of NARCAN and awaited the arrival of medical personnel. Before the arrival of medical personnel, Vanessa started breathing on her own. She was transported to the medical facility where she made a full recovery. Your outstanding performance during this situation reflects positively on you and

the whole police department, notification of this accommodation will be a permanent part of your official record. In recognition of your aggressive patrol, you are hereby officially commended for your actions taken on February 7, 2017. On this day at 11:35, you were surveilling the AAMCO Station at 108 E. Trenton Avenue due to a rash of theft of vehicles. You observed a male later identified as Edwin Cruz, kneeling next to a Chrysler van. As you approached the male he began stealing items from inside the van. You quickly apprehended the offender and he was charged with theft and related offenses. Your performance during these arrests reflects credit upon you and this whole department. Notification of this accommodation will be a permanent part of your record.

Chief McClay stated, Brad Smeltzer. In recognition of your aggressive patrol skills, you are hereby commended for your actions while investigating a series of thefts from autos in the Morrisville Community. On December 19, 2016, at 8:00 p.m., you responded to a radio call to investigate a male in the area of 500 Doloro Drive. You quickly responded and met a citizen who gave you a description of the male that was seen trying vehicle door handles. Within a few minutes you observed the male in the 500 block of Wilk Drive fitting the description rifling through another vehicle. The male fled on foot through back yards while discarding various items that were taken from the vehicles. You pursued the male on foot and apprehended the male at 371 Plaza Boulevard. All the property was recovered and returned to the owners. Steve McCoy was charged with several counts of thefts and related charges. Your aggressive patrol skills reflect upon you and the entire police department. Notification of this accommodation will become a permanent part of your official record.

Chief McClay stated, as you'll see as we go along, you'll see a lot of team efforts, this really proves how much of a team we are. Could I have Cynthia Cicero, Mike Dilanni and John Aspromonti. Cindy for the people that don't know, is my Secretary. This is for all three. In recognition of your aggressive investigative skills you are hereby commended for your actions while investigating a series of home burglaries in the Morrisville Community along the canal during the time period of July 17th, 2016 through July 25th, 2016. Investigation revealed that these burglaries were similar in nature, the burglaries occurred in the early evening, and a flathead screwdriver was used to enter each of these homes. Various videos were recovered, a description of the subject was developed and distributed to the officers. On July 25th, 2016, Cindy Cicero observed a male fitting the description of the suspect crossing the Calhoun Street Bridge carrying a fishing pole and a bag. Officer Dilanni and Officer Aspromonti were contacted and he was quickly apprehended. Recovered inside the bag was a flathead screwdriver and gloves, the fishing pole was found to be non-functional. William Birdie was charged with burglary and related offenses, he was later found guilty and is serving a State sentence of 6 to 12 years. Your investigation skills and your good teamwork reflect great upon you and our entire police department. Notification of this accommodation will become a permanent part of your record.

Chief McClay stated, Mike Dilanni and John Aspromonti. It gets distributed later, there's others. I don't know, just all the bad stuff seemed to happen when these guys were working. Just so everybody knows, these accommodations that I'm giving them, we have a rank order, it starts with a Merit Letter, Merit, Valor, Heroism, and Bravery. These are all for merit. In recognition of your aggressive investigative skills, you are hereby commended for your actions

while investigating an armed robbery at the Mega Smoke Store On October 8, 2016. On this date, you along with other officers responded to a report of a robbery at the Mega Smoke Store at 628 Crown Street. You were met by the cashier who stated that a black male 5' 7" wearing all black clothing, armed with a hand gun had robbed the store then fled south on Crown. During the investigation, it was determined that a suspect had pulled up and fled in a Mitsubishi SUV. Later the next morning, Falls Township Police conducted a car stop on West Trenton, you responded to the car stop and recognized the similar characteristics of the vehicle and the driver that matches the description of the robbery from the Mega Smoke Shop. The vehicle was confiscated and secured for a search warrant which was prepared later. The evidence that was recovered from the suspect as well as from the vehicle produced enough evidence to give you probable cause for an arrest warrant. The male was charged with robbery and was later charged by Falls Township for two other robberies. Clifford Hill plead guilty and received a 17 to 34 year State sentence. Your investigative skills and good teamwork reflect credit upon our department and this will be a permanent part of your official record.

Chief McClay stated, Erica McIntyre, Lee Matthews and Mike Dilanni. In recognition of your aggressive investigative patrol skills, you are hereby commended for your actions while investigating a robbery on September 9th 2016. On this date, Officer Matthews, Officer Dilanni and Officer McIntyre responded to a report of a knife point robbery at 111 West Bridge Street at the Puff and Stuff Store. Surveillance video was recovered and sent out to the police departments throughout the 5 county areas. Officer Matthews immediately recognized the offender as Auprel McLean who was identified and an arrest warrant was issued for the robbery. The arrest warrant was served and the male was apprehended. During the investigation, these officers recovered various items from the robbery, including \$977 which was taken in the robbery. McLean plead guilty and is serving a 6-12 year State prison term. Your investigative skills and good teamwork reflect credit upon our department, and notice of this official accommodation will be part of your file.

Chief McClay stated, Lee, come back. Chris McIntyre. In recognition of your aggressive investigative skills, you are hereby commended for actions while investigating a shooting on June 16th, 2016. On this date, Corporal McIntyre and Officer Lee Matthews responded to what sounded like an auto accident in the area of Bridge and Pennsylvania. While on route, two gunshots were heard. Responding quickly to the scene, you discovered a male, later identified as Baishaun Jones standing next to a silver Honda which was disabled in the middle of the highway. You quickly apprehended the male and recovered a 9 mm ruger handgun and arrested the male. A second vehicle, a Chevy Tracker had struck a tree and impacted a business. You observed another male hiding behind the 7-11 store. The male later identified as Joshua Dennis started to run south on Bridge Street from the Canal. He was quickly apprehend and transported to the hospital for treatment of a gunshot wound. The scene was secured and later processed by members of the Morrisville Police Department. Brasheem Jones was charged with aggravated assault, recklessly endangering and related charges. Joshua Dennis was charged with theft. Your investigative skills and good teamwork reflect credit upon your department and notification of this accommodation will be a permanent part of your official record.

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Chief McClay stated Gary Zumpano, is he here? Mike Pitcher. In recognition of your aggressive investigative skills, you're hereby commended for your actions while investigating a robbery at the United Cut Rate store on April 11th, 2017. On this date, you along with other officers responded to a report of a robbery at United Cut Rate store at 19 E. Bridge Street. You were met by the cashier, who stated that a white female in her 20's with long brown hair wearing a white shirt had produced a note and placed it on the counter stating that it was a robbery. Videos and still pictures were produced of the robbery and were circulated throughout various sources. During the investigation, several suspects were developed and cleared through the investigation. Two weeks after the robbery, another suspect was developed, Kierra Carpenter of Cookstown, New Jersey. Information was gathered through computer sources that placed her in the Morrisville area during the same time before the robbery. Information surveillance was gathered that showed the same vehicle that was used in the robbery which was at her home and was owned by her father. The suspect was identified by officers of the New Haven Police Department and the cashier. Kierra Carpenter has recently confessed to her sole involvement in the robbery and is awaiting trial. Your investigation skills and good team work reflect credit upon you and the entire police department. Notification of this accommodation will become permanent part of your official record.

Chief McClay stated, Bo and Mike Dilanni. Last week or the week before these two gentlemen were honored by the American Red Cross for a lifesaving award which they were nominated by our fine Mayor. It was really a nice occasion down at the casino, but I had to drag Bo there. Because you see, doesn't Bo look nice in a uniform? Thanks pal. Everybody knows the story, but I'm going to repeat it anyway. In recognition of your learned and aggressive patrol, your are officially commended for your actions taken on August 8, 2016. On August 8, 2016, at 12:40, Officer Luna was on alert patrol. He observed a Mazda sedan occupied by a white female drive into the river on South Delmorr Avenue at Philadelphia. Officer Luna notified Bucks County Police radio the conditions at which time Officer Dilanni responded to assist in the rescue. Without hesitation, Officer Luna entered the water along with Officer Dilanni and made contact with the driver who was approximately 40 yards from the bank with the vehicle quickly sinking into the water. Officer Dilanni quickly arrived and entered the river where he assisted Officer Luna and rescued the woman and bringing her back to the riverbanks so she could be treated by medical personnel. The female was transported to a medical facility where she was involuntarily committed. Your quick actions and selfless concern for your own well being is a testament to you and reflects positively on the entire Morrisville Police Department. Notification of this accommodation will become a permanent part of your official record.

Chief McClay stated, what a great job by these officers. Almost your whole police department is up here, they have done a tremendous job. Like I said, we had a busy year this year. A lot of people went to jail. Hopefully this year will be a little bit calmer. But if it's not, these officers will step up and do what they have to do to protect our citizens. Now it becomes even a happier event. Ross, Ross DaLessio, please come up. Mike. Anybody else back there? At this point, the Mayor is going to read a Proclamation, and the Police Benevolent Association will be presenting Ross with his honors.

Mayor Rivella stated, thank you Chief. I'll read the big one. A Proclamation presented to Ross J. DaLessio in recognition of the civic contributions to the service of the Morrisville Borough

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Community. Whereas, Ross DaLessio began his law enforcement career with the Morrisville Police Department as a part-time officer in 1981. And whereas, an outstanding officer, Ross was recognized for his strong character, positive work ethic and became a full time member of the Morrisville Police Department in 1988. Whereas having a rich legacy of service in law enforcement that include being a member of the major incident response team for Bucks County and being appointed as a narcotics investigator and drug control officer by the Pennsylvania Attorney General. Whereas, throughout his law enforcement career, Ross has been a man of integrity, well respected by his fellow law enforcement officers as well as the community that he serves. Whereas, it is with the deepest appreciation for 36 years of service for the dedication and commitment to the fellow officers of the department, to the citizens in our community that the Borough of Morrisville with gratitude recognizes and honors, Officer Ross DaLessio on this day, May 23, 2017 and congratulates him on a well deserved retirement.

Chief McClay stated, Erica McIntyre.

Officer Erica McIntyre stated, this will be shorter. Ross, on behalf of the officers of the Morrisville Police Department, we would like to present you, Ross DaLessio, aka, Roscoe, with this plaque in honor of your 36 years of dedicated service to the Morrisville Police Department and the citizens of Morrisville Borough. Ross, you're not only our co-worker, but you're our friend and you always have a way of making us smile and you're constantly making us laugh. In this profession, there's not many times that we get to do so, so we thank you for that. We wish you the best in the future and hope that it's filled with health and happiness, so this one's for you slick.

Chief McClay stated, I would just like to show it to him. He doesn't get to take that home that goes back in the hallway. Well you made it up on the wall. This is what officers live for, to make it on to the wall so they can always be remembered and you lived through 36 years of night work and holidays and the events that we miss with our families. But it was all worth it, wasn't it Ross?

Officer Ross DaLessio replied, yes it was.

Chief McClay stated, thank you for your service. I'm going to miss you. I'm hoping that you will come back and work for me part-time, but you've been very — no. We'll talk, we're gonna talk. Thank you for everything you've done for our citizens and thank you for everything you've done for me. Nice job gentlemen.

Mr. Kerner asked, so that was the Police Chief's report right?

Mayor Rivella replied, no actually. That brings us to the ALS.

Mr. Kerner stated, yup. Are you ready for that?

Mayor Rivella stated, I am.

Mr. Kerner stated, once the police clear the area.

Mayor Rivella stated, yeah give them a minute.

Mr. Kerner stated, no rush though, no rush. Especially Ross, he can do whatever he wants.

Mayor Rivella stated, 36 years of hard work.

Mr. Kerner stated, thanks to the Chief and all of the members of the Morrisville Police Department. We move on now to 4D, an ALS Proclamation also from the Mayor.

Mayor Rivella stated, I don't think they are going to be able to hear me Fred.

Mr. Kerner replied, well, take your time.

Mayor Rivella stated, okay, alright. Thank you Mr. Chairman. One last Proclamation. It's the designation of May of each year as ALS Awareness Month in Morrisville Borough Pennsylvania. Whereas, ALS known by many as Lou Gehrig's Disease, is a progressively fatal disease that attacks nerve cells in the brain and spinal cord making movements such as walking, speaking and gesturing incredibly difficult. Whereas, approximately 15 new cases of ALS are diagnosed in the United States every day. Whereas, through research and treatments, the symptoms of ALS can be extended the lives and (inaudible) the disease. Whereas, finding the cause of and a cure for ALS will help prevent the disease from robbing hundreds of thousands of people of their lives. Whereas, raising public awareness could help facilitate the discovery of a cure and bring much needed dollars for support and services for families dealing with ALS. Now, therefore, to honor that hard work of Chris Pendergast and to spread the awareness of the need of funding I will lead, I'm sorry, that will lead progress and treatments to cure of the disease. I Mayor Rivella, do hereby proclaim May of each year as ALS Awareness Month in Morrisville Borough and encourage all citizens to join in with me for this worthy observation. And some of you may recall that Chris actually just came through our Borough on the 20 year anniversary of his famous walk if you will. He — in 1993 he was diagnosed with ALS, he was actually only given 2 to 3 years to live so he decided to be very proactive in his remaining years and he started an organization called The Ride for Life. And he had a quest to go from Yankee Stadium to Washington, DC spreading the awareness. He traveled into Pennsylvania and he had fond memories of coming through Morrisville 20 years ago, so on the 20th anniversary, him and his devoted family and team came back. I want to thank everyone who was available to greet Chris on May 7th, and thank the police department who escorted Chris as everyone came from the Bridge to Borough Hall and then from Borough Hall to Snipes Farm. It was an honor to meet Chris and his family and I think it's only fitting that we remember him in this month. Thank you Mr. Chairman.

Mr. Kerner stated, thank you Mayor Rivella. I'm sorry I wasn't able to make that.

Mayor Rivella replied, I know you were tied up.

Mr. Kerner stated, I hope to be a part of it if it ever happens again. Now we move on to the hearing of the public. I pulled the sheet up, I've got 6 names on it. Is there anyone else that would like to be added to public comment?

Mr. Sooby asked, Debby Colgan, is she on there?

Mr. Kerner replied, she is on here.

Mr. Sooby stated, okay.

Mr. Kerner stated, then we will begin with Holly Harman.

HEARING OF THE PUBLIC

1. Holly Harman - *S. Pennsylvania Avenue*

She stated, I just have one question. It is, what movement or what remedies has the administration done about the condition of the remnants of the fire on Park Avenue? I know that one resident has been 5 weeks without gas service because of the inability to get this taken care of.

Mr. Sooby stated, I have to honestly say that I would believe that as of right now, it's being reviewed by Bucks County Fire Marshal. Also, PECO has shut off all the gas. We've shut off all the water. We are waiting for the insurances to come through for the residents there and hopefully moving forward the insurances will pay for also the cleanup.

Ms. Harman asked, is there any way that that area can be fenced off? I could walk right in there right now and it's dangerous. There's no restrictions, the caution tape is destroyed and quite honestly the caution tape never stopped anybody.

Mr. Sooby stated, I'm sorry to say Mrs. Harman, but that's private property and unless we get permission to enter that property, we actually can't put up anything unless requested from the homeowner.

Ms. Harman asked, and you've not asked the homeowners if they want a fence? I mean, it's dangerous.

Mr. Sooby replied, I will have Code Enforcement look at it tomorrow.

Ms. Harman replied, alright. Thank you.

Mr. Kerner stated, thank you Holly. Next we have Clay Aberts.

2. *Clay Aberts - 512 Osborne Avenue*

He stated, I'm here tonight to add my voice asking definitely that you pass the resolution against — for anti-fracking. You may remember I was here speaking to you when you passed the resolution against ELCON. This the same situation — again, a danger against our water, our health our way of life. As it's been proven out in the midwest and other areas where they have done this, many, many health hazards have occurred. This area is just recovering from many, many things. We're starting to see our eagles coming back, our flowers and other things that have been missing for 60 years along the river. We do not need this in this area and we need to send out a strong unified message from all the Townships that this is something that we can not afford, this is something that we do not want in our communities or in our area. Thank you.

Mr. Kerner replied, thank you Clay. Next we have Eileen Dreisbach.

3. *Eileen Dreisbach - 75 Harrison Avenue*

She stated, first of all I'd like to say, I'm pleased to see the pole up for the decorative light in front of the TD Bank on Bridge and Pennsylvania. I guess the globe will be going on there soon. The mess that we have down at Manor Park with PECO, does anyone — do they stay in contact with the Borough and let you know what's going on, because this is getting ridiculous, I mean they've been down there for at least a month and a half now and I don't see anyone working anymore, but there's a big metal plate at the end of Harrison Avenue that we have to drive over every day. There's another one I believe at Delaware Avenue. It's just one big mess and I'd just like to know when they are going to be completed. Thank you.

Mr. Kerner stated, next we have Kurt Holthenrichs.

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

He stated, I'll probably be the bad guy on this one. The fracking, I've read about it for years. It's been going on for 60 years, I don't think every Township needs to jump on it just to say they jumped on it. I haven't seen a real open dialogue from pros and cons, people in the business giving their opinions on why it's good or bad to the Council, so I don't think it's a fully formed opinion to be just passing resolutions saying you're against something when there hasn't been a actual discussion about it by professionals not just an emotional response that someone has had for 60 years. We all survive on natural gas down here pretty much, so if that stuff goes away, you know, it's just something to think about that there's — it's been happening for a long time so I don't really think that that should be jumped on by Council. I saw the bill for Portnoff Associates for mailing billings for \$9,000 for postage. We pay them for their postage, \$9,000 or is that —

Mr. Sooby replied, our original agreement is a charge of \$4,723 for them to do the initial mailing, however, once the funds are received back we will slowly be able to recoup that money.

Mr. Holthenrichs stated, okay, because it's in the bills for \$9,000 tonight, it's not \$4,700.

Mr. Sooby replied, yeah I understand that. However, we will recoup it over the time period once they get response from the individuals who owe us money.

Mr. Holthenrichs stated, okay, so we're fronting —

Mr. Sooby stated, that number will come back to zero and it will be allocated on next months financial.

Mr. Holthenrichs stated, okay, so we're fronting their postage and they are paying us back for the postage is what you're saying?

Mr. Sooby replied, well for their service we are charged nothing. However, the initial amount for the certified mail, that is the initial cost to the Borough however that only was initiated once we received that amount or more in back sanitation.

Mr. Holthenrichs replied, okay, alright. Thank you very much.

Mr. Kerner stated, next we have Debby Colgan.

5. Debby Colgan (EAC) - *120 W. Hendrickson Avenue*
She stated, I am with the Morrisville Environmental Advisory Council and I am here to speak on their behalf. The EAC encourages Council to support the resolution on the agenda tonight calling for the DRBC to ban gas development activities in the Delaware River Watershed. Morrisville Borough is among the 17 million people who depend on the River and we need Council to help protect it. The ban does not pertain to pipelines or compressors, but to all other gas extraction activities. This applies to gas and oil drilling, fracking and related gas well development including water withdraws and gas waste water discharges. I'd like to read from parts of a letter that was submitted to the DRBC that gives a really good background. And I'm reading parts of it. Dear Commissioners, we call upon the DRBC to enact a permanent ban on all gas development including drilling and fracking in the Delaware River Watershed. The DRBC currently prohibits permitting for natural gas extraction projects in the Delaware River Basin. This prohibition was put in place May 2010 by the Commission based on determination that natural gas projects individually or cumulatively will have a substantial impact on the water resources of the Delaware River Watershed. The wild and scenic Delaware River is classified as special protection waters due to exceptionally high water quality and outstanding natural resources with special regulations that protect those resources and maintain the rivers exceptional water quality. The entire drainage area that flows to the non-titled section of the Delaware River which extends from Hancock, New York to Morrisville, Pennsylvania is designated as special protection waters, and it's the longest

stretch of anti-degradation waters in the Nation. When the Commission acted the moratorium, three main concerns were cited. The diminishment of surface and ground water, the release of pollution and the impacts of frack waste disposal. In the intervening years, a substantial body of knowledge has developed, demonstrating significant evidence that shale gas development has a myriad adverse affects on our water, forest, air, land, public health, property interest and agriculture affecting present and future generations. After exhaustive study, the state of New York prohibited fracking based on environmental and public health analysis. And the state of Maryland has since done the same. The DRBC has not conducted a comprehensive assessment of the cumulative and long term impacts of shale gas development that demonstrates that natural gas development could safely occur without the degradation of special protection waters. In fact, evidence supports that shale gas can not be extracted or developed safely with current technology. We call upon the DRBC to enact a permanent ban of natural gas development in the Delaware River Water Shed for the protection of our water resources, surface, ground and wetland and to preserve the outstanding and essential values of the Delaware River and it's watershed for the benefit of all our communities including generations yet to come. And this letter is signed by the Delaware Riverkeeper Network and over 180 other organizations that's worked to protect the watershed. So if fracking activities are allowed in our region, you can be sure that Lower Bucks and Morrisville will carry a heavy burden. Not only will there be direct environmental harm, but safety and nuisance issues such as increased truck traffic, risk of toxic spills and the destruction of beautiful landscapes are a real concern. Fracking is a dirty and dangerous practice. We can not allow our water, air, safety and quality of life to be put in jeopardy, thank you.

Mr. Kerner stated, thank you Debby. Last thing we have is Bill Farrell.

6. Bill Farrell - *347 N. Pennsylvania Avenue*
He stated, I have a couple of questions about the garbage. I had said numerous times there was a \$700,000.00 back log of garbage that was in arrears people hadn't paid. Mr. Sooby, was that number correct, or was that an inaccurate figure?

Mr. Sooby replied, no that was correct.

Mr. Farrell stated, I believe at the last monthly meeting you said you collected was it \$170,000.00 or \$180,000.00 how much was it, I can't remember?

Mr. Sooby replied, well, I must apologize, that's what I get for looking into the following months journal. The entry amount that was in the journal stated a different amount that was later erased and a different amount was put in. However, we're moving forward with collecting the arrears and we will meet our budget amount.

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Mr. Farrell asked, as of today what — is there a number? At what point you have collected up to this point. I'm trying to figure out whether you collected 10% 20%, 30% or 40%.

Mr. Sooby replied, well, as of last month, just from Portnoff alone we collected 5% of the total debt that was out there. However, we also brought in at least \$20,000.00 from what we did within Morrisville Borough, \$500.00 and under.

Mr. Farrell stated, okay, well based on that it's 5% of \$700,000.00 is \$35,000.00, correct. And another \$20,000.00 is \$55,000.00, which means there's almost \$650,000.00 out there. I have nothing personal against you. This thing has snowballed for years and the Borough Council did exactly nothing and that's why there's still \$650,000.00 out there. This should have never happened, so people ought to be a little more diligent when you're dealing with stuff like that. The only other thing is —

Mr. Sooby stated, we'll Mr. Farrell, I'd like to allow you to understand that that money was sitting out there, I felt it was the duty of Morrisville to go out and collect it. Again, regardless of what percentage you believe that has been collected and how much of the \$700,000.00 — we did take the initiative to address that. And I believe, again we will meet our goal and we also addressed other situations with sanitation as well.

Mr. Farrell stated, okay, well I appreciate that you did something about it. For too many years, the Borough Manager did nothing about it. As a result is where we were at. The only other thing is, thank God May 16th is over with. It was an election that was — I couldn't tell you. I spent 15 seconds in the poll voting, because I'm not a fan of primary's, cause primary's restrict you. When I walk in, all the red lights were up on the one side. I'm not going to sit there and write in people. I don't want to spend my day there, so it took me 15 seconds to get in and out and I was happy to see that. But I will say that there's a new, I would say people in the Morrisville Derby which will be in November, I think November 7th is the General Election which I look forward to it because I don't have to write in, I can push this side, push that side, push any side I want. Then when I'm done, I'm voting. I did notice that there are some new people and I'm happy to see that, it's been too many of the same people around over the years.

Mr. Kerner stated, you can tell us when elections are, but please don't endorse any candidates from the dais.

Mr. Farrell replied, I didn't endorse anybody.

Mr. Kerner stated, you said you prefer one over the other, that's endorsing.

Mr. Farrell replied, I didn't endorse anybody, I said there's new people in it.

Mr. Kerner stated, okay.

Mr. Farrell asked, did I mention names?

Mr. Kerner stated, you didn't mention names, but I just don't want you to endorse anyone from that podium.

Mr. Farrell stated, I'm not endorsing anybody.

Mr. Kerner stated, to keep you out of trouble.

Mr. Farrell stated, huh, don't worry about me getting into trouble. I get in trouble a lot. But I didn't not mention anybody I just said there's new people in the race. Did I endorse anybody, did I mention a name?

Mr. Kerner stated, no names were mentioned.

Mr. Farrell replied, well then I didn't endorse anybody. I don't appreciate you saying I endorse people. I didn't endorse anybody.

Mr. Kerner replied, fair enough.

Mr. Farrell stated, and I'm not afraid to tell you that.

Mr. Kerner replied, fair enough Bill.

Mr. Farrell stated, so in November, when the counts over with you find out how everybody individually did. I think we'll find out in November whether the town of Morrisville wins, or they lose. Time will tell. I don't know what will happen, but it will be a little bit different this year, my own personal opinion. And by the way I will speak about it but I don't endorse people. You never heard me say that. I might put a sign on my lawn, but that's my private property.

Mr. Kerner stated, I just want you to be protected up there.

Mr. Farrell asked, me?

Mr. Kerner stated, I just don't want — never mind.

Mr. Farrell stated, alright, don't worry about protecting me, I'm old enough to protect myself.

Mr. Kerner replied, you're right Bill. You're right Bill.

Mr. Farrell, but, so everybody remember in November, that's your time to get out and express your opinion when you vote, and everybody have a good summer if it ever starts. Take care.

Mr. Kerner asked, thank you Bill. Anyone else for public comment tonight?

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

Mr. Kerner replied, next we move on to 6, the approval of the minutes. We have 4 pairs of minutes or incidences of minutes here.

APPROVAL OF MINUTES

Motion 6A - Motion to approve the Regular Borough Council Meeting of Tuesday, February 21, 2017.

Motion made by Ms. Smith.

Ms. Kronnagel seconded the motion.

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

Motion carried by voice vote, 8-0.

Motion 6B - Motion to approve the Regular Borough Council Meeting of Monday, March 20, 2017.

Motion made by Ms. Kronnagel.

Ms. Larison seconded the motion.

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

Motion carried by voice vote, 8-0.

Motion 6C - Motion to approve the Special Borough Council Meeting of Tuesday, April 11, 2017.

Motion made by Ms. Kronnagel.

Ms. Larison seconded the motion.

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

Motion carried by voice vote, 8-0.

Motion 6D - Motion to approve the Regular Borough Council Meeting of Monday, April 17, 2017.

Motion made by Ms. Kronnagel.

Ms. Larison seconded the motion.

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

Motion carried by voice vote, 8-0.

Mr. Kerner stated, we move now on to 7, reports, starting with 7A, the Manger's Report.

REPORTS - ADMINISTRATIVE/MANAGEMENT

Borough Manager's Report - Robert C. Sooby - He stated, thank you Fred. I've been here, I've kind of been addressing some of the issues that we've been going through in the Borough. First, I'd like to say, during the last 16 months, there has been a focus on the Borough's financials in doubt that the Administration could step up to the challenges to get the Borough finances under control. As you can see in this months financials, the Borough for the first time in the last several years are now in good order. My staff knew the challenges that were ahead of us, but together we can now see that our hard work is paying off. Together we worked with the help from our Tax Collector Katie Schell to apply the sanitation to the tax bills. You can see where we were from last year which — where for the total amount for 2016 was somewhere around \$600,000.00 and now in the month of April 2017, we've already collected \$712,461.52. I must say for April, that's pretty good numbers. Since the day I started as Borough Manager, I

knew the most important issue that Morrisville faces is the need for more revenues. My first week here, I got in contact with Bob White and started moving forward on the sale of the Cloverleaf and to have Lehigh Rubber redeveloped. I would like to say with the ordinance that we will be voting on tonight to be advertised will be one of the last steps to moving forward to the sale of the Cloverleaf. So I must say that in the beginning it seemed as there was a cloud over the Borough we are starting to see daylight. I feel most comfortably saying we will meet and will move forward with the success that we have in the sanitation arrears. One goal is for the budget for 2017 is to bring in enough revenue to be able to have additional spending for projects in the Borough. Also spending is down as well. With the help from our new Public Works Director John Later, we are holding the line on spending. I would like to say also that our Chief has done a great job of also controlling spending on the police side. We can only get to where the Borough needs to be financially if we work together. I must say that with the help of Council to understand the Borough can no longer be the scape goat for the all the entities that have put us in this situation that we are in now. Together we could have a situation where the sky is the limit here in Morrisville. I have committed myself, and my staff has as well as to this commitment and I would ask that you join in with us. Thank you.

Mr. Kerner stated, thank you Bob, we move on to 7B, the Solicitor's Report.

Solicitor's Report - Natasha Taylor Smith - She stated, thank you Mr. Chairperson, the only thing that I would like to mention in terms of the Solicitors report is that there is a motion or on the agenda for tonight, to advertise an ordinance for the amendment of the zoning code here in Morrisville Borough and that agenda item is going to be amended to be a motion to advertise a public hearing, a possible adoption of that same ordinance which will take place on June 19th.

Mr. Kerner stated, thank you. Next we move on to the Mayor's Report.

Mayor's Report - David Rivella - He stated, thank you Fred. Recently in the Borough we had the prescription drug take back day. I want to remind everybody if you were not able to make that Saturday that we do have the drug take back box right here in Borough Hall. A few hours ago, this afternoon, I spoke with Matt Weintraub, our District Attorney to ask him how we were doing with that program. I know Bucks County actually holds the record. He told me it's almost 90,000 pounds of prescription drugs that have been collected since that program started and we are definitely the first in Pennsylvania, Bucks County that is. That same day, that same Saturday was the Graystone cleanup. After volunteering at that for many years, I can tell you that having people come out and volunteer a few hours on a Saturday, it does help, it does make a difference. Noticeably this year, there was far less trash then you typically see, a little bit more of the Garlic Mustard, but I think everyone would agree, it's fine to have mother nature working like that rather than have trash thrown out. So that's positive things happening there. I was able to and honored to perform two ceremonies, wedding ceremonies here in Morrisville Borough. As you heard Chief McClay mention earlier this evening, the Hero's Breakfast, again I'd like to congratulate Officers Luna and Dilanni on receiving the First Responder Award that was hosted by the American Red Cross. Bo and Mike, the Chief and I and a lot of family members actually were able to attend. It's nice to see them recognized publicly for what they do here for us in Morrisville. Recently I had the third graders from Holy Trinity come to Borough Hall. I want to again thank Chief McClay and thank everyone for their

help with that. That is something that I started - in third grade at Holy Trinity they start studying government, so they come here, we give them a little exposure to Borough Hall. Everything from the Mayor's Office to sitting at the dais. Every year it's a little different, they get to check out some police equipment and with Anthony's Pizza right across the parking lot, they were able to have a pizza lunch with us here, so it was a nice day for the students. I'd like to think they learned a little bit too, not just got out of school that day. Coincidentally, Discovery Daycare which is across the street happened to do what they call a letter walk after they learn the alphabet, they learn some letters and they go out and find things like P and they were looking for the Police Station, so they actually got to be included in some of the festivities that day, so it worked out pretty nice. In May, we recognize International Fire Fighters Day, National Police Week and National EMS week. So I'd just like to remind everyone, if you see someone in uniform for emergency services, maybe you want to thank them for what they do and show that they are appreciated. And lastly, you heard the ALS Proclamation, well, Chris Pendegrass did actually with the help of his family make it to Washington, D.C. on May 14th. I know he was tired, I know he was exhausted. I had been communicating with Chris for a few days before he started out on his journey and he really did want to see Morrisville recognize ALS Month, so I'm happy we were able to do that for him. That is the extent of my report.

Mr. Kerner stated, thank you Mr. Mayor. Next we have the Police Chief's Report.

Police Chief's Report - Chief George McClay - He stated, last month I promised that we would have an arrest within a couple of weeks for the United Cutrite job, which we did and we gave an award tonight for two of my officers. Only really big thing that we've got to talk about is our homicide on Carlisle. At this point, it's still a very active case. There's a lot of things going on in the background that I am not at liberty to discuss. But I have been in constant contact with the D.A.'s Office, constant contact with Pastor Gary Taylor. He has been a friend to the Police Department. Yes, he's had two problems among the many properties that he has, but every time I'm on the phone — I try to call him, he picks up right away and he solves my issue. He is in negotiation to come to an agreement with the people that live there. He had no hint that the guy that was there had an extensive drug background. He rented that house to a little old lady, who lived there, he just didn't realize she was being financed by a son who wasn't supposed to live there. So at no time was there any idea that that was a drug house by any of the neighbors or anybody, except for some people that didn't live real close that said oh, that's a drug house. No. Mr. Taylor's houses are kept very nice and he is very cooperative with me. Notification to the Mayor of that homicide didn't occur until 7:00 in the morning. There was no reason for me to wake the Mayor up at midnight to tell him that we had a homicide, because the last person I want is somebody to come there and stand at the yellow line and not get passed the yellow line and ask questions. So I don't notify the Mayor until the next morning. Notification to the public will be made by me and me alone, not the Mayor. That is my job, that's what you hire me for. If the public was in danger, I would be the first one to be on the loud speaker, to knock on doors, to do whatever it takes to make sure our citizens are safe. I cannot and I will not put out messages that everything is okay. I'm not going to start doing that. I start doing that, where does it stop? Does it stop at an auto accident? You know auto accident, why an auto accident, well how do you know something is not being released? There's a million things, if there's a problem and anybody needs to get notification, you will know it. Okay, but when I show up to a crime scene and I was there within 20 minutes that

night. I was there when the body was just getting taken to the hospital. I was there talking to the neighbors, the neighbors are all good. Okay, so just to let you know, if any of your constituents ask you, I'm the person that's going to put the message out and it's going to be an emergency message, it's not going to be everything is okay. The only time I'll put everything is okay is if I put an emergency message out, then it will be an all clear message. Okay? I just want to make sure, because that was the biggest talk on Facebook over the last month, and I do monitor all the Facebooks just so I have a little idea of what's going on and what peoples feelings are. But, that's what you guys hired me for, that's what you pay me for, and I will make sure your citizens know if there is a danger to them. Okay, any questions? We're good.

Mr. Kerner stated, thank you Chief.

Chief McClay stated, so hopefully the homicide, I will be able to come back to you within a couple of months probably with a little bit of knowledge, but right now I can't go any farther. Alright, thank you.

Junior Councilperson - Garlie St. Cyr - There was no report this evening.

Mr. Kerner replied, thank you, 7G is Committee Reports. Are there any up or down the dais?

REPORTS - COMMITTEES

Ms. Kronnagel stated, yes. Just briefly, the Business Outreach Committee again, our Restaurant Week is that third week in July. It is July 16th to the 22nd. We should have banners hung up on probably Bridge Street and Trenton Avenue in mid June. I have been talking to Actor's Net and they have agreed to do a dinner and a show promotion. I don't have details on that yet, but hopefully we will have that by next months meeting. Artists of Morrisville did create two logos that should be on the banners and the posters. And that is all I have for the Business Outreach Committee. I did want to say quickly that the Chalk Art Festival for the Arts and Events Committee was held this past Saturday in conjunction with Patriots Day and that was also held with the Artists of Morrisville. The chalk was generously donated by WeVeel and a lot of adults and some kids really enjoyed it. So I just want to send a special thank you again to WeVeel for that. Thank you.

Mr. Kerner stated, thank you Corryn. Anyone else?

Ms. Larison replied, yes. The Beautification Committee will have a meeting next week, but I'd like to say thank you to the Matthias family for donating the tree that is now planted at the Plaza. It's a beautiful tree, it actually has a hint of an orange smell to it and they brought it in in the rain two weeks ago and I'd like to thank one of the members of our community for graciously digging the hole for us so we didn't have to stand there with a shovel and dig two feet down. Councilwoman Smith and I, we were at the Plaza this past Sunday we had decorated it for Memorial Day so the flags out there were donated by Councilwoman Smith. Also the Beautification Committee along with a list of volunteers helped Summerseat out about three weeks ago and redoing their back gardens down by the end of the driveway, the two in the back and then the one on the side. We also met with Summerseat last night just to see

how they liked the garden, you know, see their feedback. We're working with them to clean out the one bottom end of the garden where the bushes are just out of control. So, that's the end of my report. I just wanted to let everyone know what was going on with the Plaza. We have two more phases to do and that is putting the Belgium block in to define the space. Mercer Landscaping Company donated the mulch to Summerseat. So, I'd like to give a shoutout to them and also to WDB Landscaping, they have graciously, they are going to be cutting the lawn at Summerseat in lieu of donation for the entire season. That's the end of my report.

Mr. Kerner stated, any other reports. Alright, let's turn the page, go in to finance 8A, a motion to pay the bills. May I have a reading of the bill list please?

FINANCE

Mr. Sooby read the bill list.

Motion 8A - Motion to pay the bills.

Motion made by Ms. Smith.

Ms. Kronnagel seconded the motion.

Mr. Kerner stated, Debbie and Corryn. Any questions or comments?

Mr. Sanford stated, yeah, I have one. 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 \$327.50. That is report date 05/08/17, expenditures GL-1704.

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

Motion carried by voice vote, 8-0.

Mr. Kerner stated, that's 8 nothing with Todd's abstentions.

Ms. Smith stated, if I could say something pertaining to finance since we're at this part, not to do with the bill list. This memo that we received Mr. Sooby on the final December 2016 Financial Statement pertaining to that MMA prepayment, it says here this is the revised version of the final report for December 2016, which shows then that this was corrected and that that money that was put in there from the MMA was actually 2017's funds, correct.

Mr. Sooby stated, that is correct.

Ms. Smith stated, okay and this is where this liability of deferred payment is, so I'm noticing on the new statement for this month is now placed in there and so that shows actually at the end of 2016 that there was a rolling deficit of \$195,714 and change. The minutes we just approved, you stated that it was prepayment so that we could get by till our taxes, that tells me it was used as a revenue. I don't know about it being an error, but it was definitely a revenue. So now there's still a deficit, am I getting that wrong, or to me there's a deficit still. Cause now that's 2017's money, correct?

Mr. Sooby asked, well for 2016?

Ms. Smith replied, um hum.

Mr. Sooby replied, yes, correct. There was a deficit.

Ms. Smith stated, okay, and it's carried now into here cause you now moved that money where that money is used in 2016 to pay the bills.

Mr. Sooby replied, well the deficit wasn't included in that in 2016, it was in the financials, but it was carried over on the 2017 budget.

Mr. Kerner asked, shall we move on, or are you still —

Ms. Smith replied, um, sure.

(laughter)

Ms. Smith stated, that's interesting.

Motion 8B - Motion to approve payment in the amount of \$112,000 to the Morrisville Fire Company as per 2017 Fire Fund Budget, contingent upon receipt of their 2016 Financial Statement.

Motion made by Ms. Kronnagel.

Mr. Sanford seconded the motion.

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

Motion carried by voice vote, 8-0.

Motion 8C - Motion to approve payment in the amount of \$56,000 to the Morrisville ambulance Squad, as per the 2017 EMS Fund budget, contingent upon receipt of their Financial Statement of 2016.

Motion made by Mr. Parker.

Ms. Kronnagel seconded the motion.

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

Motion carried by voice vote, 8-0.

Motion 8D - Motion to approve co-sponsorship of the 2017 Memorial Day Parade with the Morrisville Fire Company and approval of an \$1,800 payment as budgeted in the 2017 Parade Fund.

Motion made by Ms. Smith.

Mr. Sanford seconded the motion.

Mr. Kerner stated, Debbie, was that Todd? I think I heard Todd first, if that was Todd. Any questions or comments on that motion? All those in favor say aye. Opposed?

Motion carried by voice vote, 8-0.

Motion 8E - Motion to approve a tax refund for the total amount of \$951.81, consisting of \$127.73 for 2015 and \$824.08 for 2016. Tax refund is due to owner Brijesh Patel for Parcel #24-008-024, property address is 713 Crown Street, Morrisville, PA, 19067.

Motion made by Ms. Kronnagel.

Ms. Smith seconded the motion.

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

Motion carried by voice vote, 8-0.

Motion 8F - Motion to approve the advertisement of a public hearing regarding a Riverview Neighborhood District Zoning Ordinance Amendment, the Cloverleaf Ordinance. Ordinance to be voted on at the same date as the hearing 6/19/17 Regular Borough Council Meeting

Motion made by Ms. Smith.

Ms. Kronnagel seconded the motion.

Mr. Kerner stated, Debbie and Corryn, everything was okay with what was spoken? Any questions or comments from the dais?

Ms. Kronnagel stated, yes, just briefly. I know that some members in the first ward were concerned about this. This is listed as a food processing facility but just to know — I don't know if you are going to read this?

Mr. Kerner stated, I can —

Ms. Kronnagel stated, just to let — for the public's knowledge again, I stated last month and again for this month I was assured that this would not be a facility that would have cooking. And the food processing facility under the definition does state, a food processing facility shall not generate odor, noise, smoke, dust or any other objectionable environmental conditions.

Mr. Kerner stated, I can read the whole report.

Ms. Kronnagel stated, okay, well I just wanted to pull that out just to assure people that it's not something that — they are not even going to have anything in there that can actually cook the food. There should be no issues with odor as there should be no cooking. I'll let you —

Mr. Sooby stated, well, also if anybody has concerns, they can go down to Farragut Avenue in Bristol and see where that facility is as — for whatever they do they are going to do in Morrisville, they are already doing there. So just for your curiosity you can go to Bristol and see that facility. Actually, it's like even tucked back into behind the Bristol Borough Bar and the old Social Security Building. It's tucked away in there, however everything that they do there they will also do in Morrisville.

Mr. Kerner stated, so it is —

Ms. Smith asked, could I mention just one thing since we have questions on this? Our Morrisville Planning Commission also asked to have noise limits put in there. Was it added into this, do we know?

Mr. Sooby replied we already have a noise ordinance in Morrisville Borough.

Ms. Smith asked, oh, it doesn't have to be added into this then?

Mr. Sooby replied, no.

Ms. Smith replied, okay.

Mr. Kerner stated, so it is an ordinance of the Borough of Morrisville, Bucks County Pennsylvania amending the Morrisville Borough Zoning Ordinance to add a definition of food processing facility providing that a food processing facility is a use permitted by right in the RN, Riverfront Neighborhood District. And providing supplemental regulations governing food processing facilities repealing all ordinance or parts thereof inconsistent here with providing a severability clause and providing an effective date. Whereas, Morrisville Borough Council has enacted the Morrisville Zoning Ordinance and whereas, Council desires to amend the zoning ordinance to add a new use known as a food processing facility to allow that use by right in the RN, and whereas, the establishment of provisions governing a food processing facility is in the best interest of the residents of Morrisville Borough because such use will generate employment opportunities, tax ratables and other economic benefits for the Borough and will allow development of currently vacant portions of the Borough and re-development of currently occupied portions of the Borough. Now, therefore be it and it is hereby ordained by the Morrisville Borough Council, it is hereby enacted and ordained by the authority of the same as follows: 1. The Morrisville Borough Zoning Ordinance is amended as follows: section 465-6 definitions is amended to add the following term in alphabetical order. Food processing facility, a business establishment processing and packaging foods for human consumption and certain related billing products including bakery products, sugar and confectionary products, except facilities that produce goods only for onsite sales with no wider distribution. 2. Dairy products processing. 3. Fats and oil products, not including rendering plants. 4. Fruit and vegetable canning, preserving and related processing. 5. Green Mill products and byproducts. 6. Meat, poultry and seafood packaging and byproduct processing not including facilities that also slaughter animals. B. A new subsection 14 is added to section 465-17G as follows: a food processing facility shall not generate odor, noise, smoke, dust or any other objections environmental conditions. B. All food processing activities shall be in compliance with the Bucks County Health Department regulations and all applicable State and Federal regulations and shall be conducted completely indoors. C. The Bucks County Health Department and the Borough Zoning Officer reserve the right and shall be permitted to inspect operations and facilities without prior notice. D. Loading areas and docks shall be screened in accordance with the regulations set forth in this ordinance. E. No outdoor storage shall be permitted on a lot is which food processing facility is located. F. The provisions of section 465-38.P shall govern required off street parking spaces for a food processing facility. The provisions of section 465-41.A shall govern required off street loading berth for food processing facility. The first section of section 465-38P is amended to read as follows: P. Industrial use is D9, D15, F3, G1- G9 and G14. D. Table 465-17 is amended to add use 14, food processing facility under section G, Industrial Land Uses. G14 shall be permitted by right in the Riverview Neighborhood District and shall not be permitted in all other districts. 2. All ordinance or parts thereof inconsistent with this ordinance are hereby repealed to the extent of the inconsistency. 3. The provisions of this ordinance are declared to be severable if any provision of this ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this ordinance or on the provisions of the Morrisville Borough Zoning Ordinance or code of ordinances. 4. This ordinance shall become effective 5 days following it's legal enactment. And that is it in total. Hopefully we've allayed fears that it's more than a food processing, food processing is nothing

more than packaging. I would assume after this zoning change. Any questions or comments additionally?

Mr. Sanford stated, yeah, I have a question.

Mr. Kerner replied, sure.

Mr. Sanford stated, on the third paragraph on page 1, whereas, Council desires to amend the zoning ordinance to add new use known as food processing facility and allowed to use by right in the RN Riverfront, shouldn't that be Riverview Neighborhood?

Mr. Sooby stated, well it is. However, on the zoning map it's an RN.

Ms. Smith stated, you can put your microphone down.

Mr. Kerner asked, but is the R for Riverfront or Riverview?

Mr. Sanford stated, right. I thought there was a correction on that —

Ms. Larison stated, so that needs to be changed?

Mr. Kerner stated, it's Riverfront throughout this.

Mr. Sooby stated, we are going to change that part.

Ms. Smith asked, you're gonna — before it's advertised, that's gonna be put in there?

Mr. Sooby replied, it will be changed in the advertisement.

Ms. Smith replied, oh, okay.

Mr. Kerner asked, so are there any other changes we want to make while we —

Ms. Smith stated, well that's just one that the Commissioners had picked out.

Mr. Kerner stated, I found it twice.

Ms. Smith stated, yeah, they asked to have it corrected.

Mr. Kerner stated, most places it's just RN.

Ms. Smith replied, um hum, yeah, there's two spots.

Mr. Kerner stated, I think it's just those two places on the front page.

Ms. Smith replied, right.

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

Mr. Cicero stated, do a roll call Freddie.

Mr. Kerner stated, okay, roll call please.

Mr. Sooby stated, Mr. Cicero.

Mr. Cicero replied, yes.

Mr. Sooby stated, Mr. Kerner.

Mr. Kerner replied, yes.

Mr. Sooby stated, Ms. Kronnagel.

Ms. Kronnagel replied, yes.

Mr. Sooby stated, Mrs. Larison.

Ms. Larison replied, yes.

Mr. Sooby stated, Mr. Parker.

Mr. Parker replied, yes.

Mr. Sooby stated, Mr. Pepitone.

Mr. Pepitone replied, yes.

Mr. Kerner stated, that is a yes.

Mr. Sooby stated, Mr. Sanford.

Mr. Sanford replied, yes.

Mr. Sooby stated, Mrs. Smith.

Ms. Smith replied, yes.

Motion carried by roll call vote, 8-0.

Motion 8G - Motion to approve the Mayor's Labor Day Picnic to be held in Williamson Park on Monday, 9/4/17, with the rain date of Saturday, 9/9/17.

Motion made by Mr. Parker.

Ms. Kronnagel seconded the motion.

Mr. Kerner stated, that's Ted and Corryn. Any questions or comments on this motion?

Ms. Smith asked, um, I just have one to ask the Mayor. Have you been able to raise any funds during the year to help offset some of the cost for this, instead of all of it just coming out of that fund that we have for Arts and Events?

Mayor Rivella replied, no. This is a Borough event, this is not my personal event. I did not raise any funds for this. It's the same as — the same type of thing when you're helping the parade.

Audience Member (inaudible)

Mayor Rivella stated, just for the record, I'm sure someone is picking apart the language, where it says Mayor's Labor Day Picnic. I never threw Mayor out there, I think they just pulled that out from previous years. I personally call it the Labor Day, you hear it referred to as both ways, and again, it's a Borough event. It just so happens that it kind of falls on my lap. My family and I and some others kind of help put it all together, but it is not our event, it's a Borough event.

Mr. Kerner asked, any other questions or comment?

Mr. Parker stated, just that this has been going on for decades, this is nothing — almost 60 years, this is nothing new.

Ms. Smith replied, I didn't say it was, I'm just saying.

Mr. Parker stated, it's a Borough event, it's always been a Borough event.

Ms. Smith replied, I understand that Ted.

Mr. Parker replied, okay.

Ms. Smith stated, all I'm saying is, all the other Mayors raised funds. I'm saying with the problems we have with our deficit, I was just wondering if he had helped with any of that this year instead of taking it from the fund that we have. Because all of that goes to that one thing. I'm just asking.

Mr. Parker stated, yeah.

Ms. Smith stated, that's all.

Mr. Parker stated, don't tell me what to do. If I want to question it, I'll question it.

Ms. Smith replied, you can question it, I'm fine.

Mr. Kerner asked, should we do a roll all with this as well?

Ms. Smith replied, it doesn't matter. I'm okay with it.

Mr. Sooby stated, Mr. Kerner.

Mr. Kerner replied, yes.

Ms. Larison stated, oh my God.

Mr. Sooby stated, Ms. Kronnagel.

Ms. Kronnagel replied, yes.

Mr. Sooby stated, Mrs. Larison

Ms. Larison replied, yes.

Mr. Sooby stated, Mr. Parker.

Mr. Parker replied, yes.

Mr. Sooby stated, Mr. Pepitone.

Mr. Pepitone replied, yes.

Mr. Sooby stated, Mr. Sanford.

Mr. Sanford replied, yes.

Mr. Sooby stated, Mrs. Smith

Ms. Smith replied, yes.

Mr. Sooby stated, Mr. Cicero.

Mr. Cicero replied, yes.

Motion carried by voice vote, 8-0.

Mr. Kerner stated, that concludes finance, we move on now to Unfinished Business.

UNFINISHED BUSINESS

Motion 9A - Motion to approve a Resolution to Submit Application for the DCED Flood Mitigation Program Grant.

Motion made by Ms. Smith.

Mr. Sanford seconded the motion.

Mr. Kerner stated, that is Debbie and Todd. Any questions or comments on this motion? All those in favor say aye. Opposed?

Motion passes by voice vote, 8-0.

NEW BUSINESS

Motion 10A - Motion to approve Adoption Of a Resolution Supporting Anti-Fracking Activities.

Mr. Kerner stated, I don't think you want me to read two resolutions —

Mr. Cicero replied, no, don't read it.

Mayor Rivella stated, Ms. Colgan pretty much summed it up.

Mr. Kerner asked, may I have a motion?

Motion made by Ms. Kronnagel.

Mr. Parker seconded the motion.

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

Ms. Larison stated, Is that what we have in our packet — this is the resolution?

Mr. Kerner stated, this is the resolution.

Ms. Larison stated, all the other writing on the bottom?

Ms. Smith stated, that's all the websites, I guess where this came from.

Mayor Rivella stated, I had actually forwarded that on behalf of the EAC to the Council a couple of weeks ago to give everyone time to look at it. There was a sample resolution and a couple of pages of information to help understand what's going on. And I don't know if it was mentioned tonight at public comment, but the Riverkeepers would like to present this I think it's

June 14th, so it's a very timely issue, they would love to add Morrisville Borough to the collection of 180 other entities that have agreed to this resolution.

Mr. Sooby stated, and I also would like to state that we were also wondering about the writing on the bottom of the resolution pertaining to this resolution that must be declared on that and it has to remain.

Mr. Kerner stated, yeah there are a lot of — it's a fact heavy resolution. It's kind of good to have your facts sourced on this. Any other questions or comments?

Mr. Sanford stated, I have a question. Is there a map on the watershed, what it covers in the Northeast part of Pennsylvania?

Mr. Kerner stated, we have a map down at the Riverfront Preserve.

Mr. Sanford asked, we do?

Mr. Kerner stated, it's at the corner of Philadelphia and Delmorr Avenues. I don't know that it's a widely circulated map, but that's the watershed. It will show you right on there, it goes up to the eastern border of New York, obviously parts of New Jersey and Pennsylvania, it even forks a bit once it gets into New York.

Mr. Sanford stated alright.

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

Motion passes by voice vote, 8-0.

Motion 10B - Motion to approve 2017 Memorial Day Parade Route, the route is same route as previously approved by Police Chief George McClay.

Motion made by Ms. Smith.

Ms. Kronnagel seconded the motion.

Mr. Kerner stated, Debbie and Corryn. Any questions or comments? All those in favor say aye. Opposed?

Motion passes by voice vote, 8-0.

Motion 10C - Motion to appoint George McClay as the Emergency Management Coordinator.

Motion made by Ms. Kronnagel.

Ms. Smith seconded the motion.

Mr. Kerner stated, that's Corryn and Debbie. Any questions or comments on this? In parenthesis here it says open discussion to be held at meeting.

Mr. Sooby stated, I would like to note that Chief George McClay after learning that we were asking him to do this on our behalf went out and got all of his certifications. So I'd like to thank the Chief on his behalf of getting certified. Thank you Chief.

Ms. Smith stated, I'm sure the Chief does a lot of this already with our Fire Department, correct? You were already doing a lot of that stuff?

Chief McClay (inaudible)

Ms. Smith stated, okay.

Mr. Kerner stated, I'm sure that the Chief is okay with this appointment.

Mayor Rivella stated, yes, he loves it.

Mr. Kerner stated, look, he loves it.

Mr. Cicero stated, everybody else turned it down.

Ms. Kronnagel stated, double thumbs up from Chief.

Mr. Kerner stated, it was kind of open handed —

Mayor Rivella stated, just for the record it's not a paying position, so he really loves it.

Mr. Sooby stated, Morrisville pride.

Mr. Kerner stated, any other questions or comments on this motion? All those in favor say aye. Opposed?

Motion passes by voice vote, 8-0.

Mr. Kerner stated, that closes new business, do we have any announcements from the Dias tonight? We will move on to Borough Officials.

ANNOUNCEMENTS

There were no announcements this evening.

BOROUGH OFFICIALS

Ms. Kronnagel stated, yes just briefly, I want to thank the Oakville Girl Scouts. This past Sunday was the Third Annual ColorFun Run and it was a big success. Thank you again, they always bring such a fun event to our town and it was a lot of fun, so thank you very much. And I can finally say that I ran a 5K.

Mayor Rivella stated, yeah, if I may Mr. President.

Mr. Kerner replied, sure.

Mayor Rivella stated, I just want to add for the record, I was kind of caught a little off guard if I was going to raise money for the Borough Picnic, before I was the Mayor, I was obviously a Councilperson for a while and my memory serves me pretty well that I can tell you that all Mayors did not — I served here as a Councilperson with Mayor Tom, who was actually in attendance this evening and Mayor Tom and several others, they were never asked to raise funds for this picnic, so I think it's a little interesting, but that's all.

Mr. Cicero stated, yeah, but they wrote personal checks out.

Ms. Smith asked, how did they get paid —

Mayor Rivella stated, interestingly enough, the first year I was Mayor when I did it, the Borough didn't pay a dime, so that's a couple of thousand dollars.

Ms. Smith stated, there wasn't money in the budget, that's why I was saying.

Ms. Larison stated, okay.

Mr. Kerner stated, any other Borough Officials wishing to speak?

Ms. Larison stated, yes. Oh, go ahead.

Ms. Smith replied, no, go ahead.

Ms. Larison stated, I just have a couple of things. On March 22nd, we had the Downtown Open House here in Borough Hall and everyone that came was asked to fill out a survey. The survey was returned in April and we received the report. The survey results — excuse me, sorry. We received the report with everyone's responses to all the questions, so if anyone

would like to see this report, I'll have Mr. Sooby put it down at Borough Hall, downstairs on the counter. If anyone would like to see — I'm sorry.

Audience Member (inaudible)

Ms. Larison stated, can it go on the website, okay?

Mr. Sooby replied, I don't know, it might be a little bit too — before I go and say that —

Ms Larison stated, he will check to see if it can go on the website.

Mr. Kerner stated, if it can be, I'm sure it will be.

Ms. Larison stated, yes. I also have another question. I — and please don't anyone take this the wrong way at all, it's just a question. I like how the Mayor and the Chief do the tour of Borough Hall and the Police Department for Holy Trinity. I was just wondering if this — the tour is offered to the children at Morrisville School District as well.

Mr. Kerner stated, I would imagine so.

Ms. Larison stated, anybody? Is this something that's offered to them in —

Ms. Smith stated, the elementary you mean.

Ms. Larison replied, in the elementary, yes.

Mayor Rivella replied, it has in the past.

Ms. Larison stated, it's just a question, I'm just asking.

Mayor Rivella stated, it's the type of question that just leads to hard feelings honestly.

Ms. Larison asked, how? I'm just wondering if it's something that can be done for the children at, you know, Grandview.

Mayor Rivella replied, it has been offered in the past.

Ms. Larison stated, okay.

Mr. Kerner asked, any further comments or questions?

Ms. Smith stated, yeah, I just wanted to ask Mr. Sooby to do me a favor in light of what's happened with this — moving the MMA money. Could you please correct the 2016 Financial Statements and January, February and March of this year 2017, because they're legal documents, public record so they need to be corrected. If anybody was to Right To Know them, make sure they're all corrected that we have them on recored, because that changes everything once you've moved that money.

Mr. Sooby asked, could you send that to me in an email Mrs. Smith?

Ms. Smith replied, sure. I was just thinking about it. Thank you.

Mr. Kerner stated, Todd, you look like you've been anxiously awaiting.

Mr. Sooby replied, I'd just like to comment too, on behalf of the Treasurer, she explained to me how that took place and it was a mistake and again, I believe that it wasn't done deliberately. We needed the money to do our payroll at the end of the year and she just did what she felt was right.

Ms. Smith replied, um hum.

Mr. Kerner stated, Todd, it's yours.

Mr. Sanford stated, alright, this is for Mr. Sooby, I come across Coleman Avenue Street and there's no signs at both ends of the street, they're missing.

Ms. Smith asked, what did he say, I can't hear?

Mr. Kerner replied, no signs at Coleman Avenue, Street.

Mr. Sanford stated, Coleman Avenue, the street signs are missing down in my Ward, Ward 1.

Mr. Sooby asked, on what street, Mr. Sanford?

Mr. Sanford stated, well, I had to figure it out, it's on Coleman Avenue, there's no street signs.

Mr. Sooby stated, I can't hear him.

Mr. Kerner stated, Coleman.

Ms. Larison stated, Coleman Avenue.

Mr. Sanford stated, right, it took me a while to figure it out, but there's no signs on that one street. I think mid-way and both ends the signs, someone must have taken them of the poles, I don't know.

Mr. Kerner stated, it's a long street too, isn't it? It runs all the way to Philadelphia.

Mr. Sanford replied, yeah, it runs down into Philadelphia Avenue.

Mr. Kerner stated, and there's no sign at Philadelphia?

Mr. Sanford replied, I didn't — as of a few days ago, I didn't notice any sign out on Philadelphia Avenue.

Mr. Kerner replied, thanks for letting us know. I'm shocked to hear that.

Mr. Sanford stated, alright.

Ms. Smith asked, should I mention this?

Ms. Larison replied, nope.

Mr. Kerner asked, any other Borough Officials?

Mr. Sooby stated, I would like to ask Mr. Pepitone, how was the clarity of the meeting tonight?

Mr. Pepitone replied, it was very good. (inaudible)

Ms. Larison stated, can you hear — can they hear him?

Mr. Kerner stated, I think the feeling is mutual, they can not hear you very well either.

Ms. Larison stated, they can't hear him.

Mr. Sooby stated, next time we'll put it up here, I think it will —

Audience Member (inaudible)

Ms. Smith replied, yeah you have to be able to hear it.

Ms. Larison stated, put the microphone down.

Mr. Kerner stated, we'll have to find one.

Mr. Sooby stated, I think if it goes up there, it has a microphone built in to it.

Ms. Smith stated, yeah, but the public has to hear it so —

Mr. Kerner stated, it might not be loud enough for — it would be shocking if the transcribers could hear that.

Mr. Sooby stated, (inaudible) a test —

Ms. Larison stated, the test Councilperson.

Mr. Sooby stated, thanks Bill.

Mr. Kerner stated, now I ask for a motion to adjourn.

ADJOURNMENT

Motion to adjourn.

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

Meeting adjourned at 9:06 p.m.