



The Morrisville Borough Council met on Monday, October 21, 2019 at 7:00 p.m. in Council Chambers at the Morrisville Municipal Building, 35 Union Street, Morrisville, PA for a Regular Council Meeting.

Ms. Smith stated, during our moment of silence tonight if I could please ask you all to remember Mr. James Gafgen who passed away last week. Anyone who knew Mr. Gafgen which I think is about everybody in town knew he dedicated his life to Morrisville, he lived here his whole life. He designed and sculpted the statue for us at Robert Morris Plaza, he was part of the Historic Society Board for many years where he helped to preserve that building, did maintenance on that building, did a lot of tender loving care there. He was a very dedicated man and if you could all just remember his wife Doris and family and friends at this time. I will ask for a moment of silence and our Pledge of Allegiance.

Virginia Cyphers took roll call.

Those in Attendance:

Borough Council: Debbie Smith, President
Danielle Larison, Vice President
Justin Bowers
Eileen Dreisbach
Corryn Kronnagel (arrived at 7:08 p.m.)
David Nay
Ted Parker
Michael Yager

Borough Officials: Scott Mitchell, Borough Manager
Michael Levin, Solicitor
Virginia Cyphers, Assistant Borough Secretary
Micah Heitz, Finance Director

Not Present: Dave Rivella, Mayor

Ms. Smith stated, before we begin our public comment, we're first going to make some adjustments to the agenda so everyone knows we've had some changes. The Manager will explain what the reasons are and two other ones are being requested to put on the agenda, so I'll let Scott weigh in on that.

Mr. Mitchell stated, thank you Madam President. We are going to bump three items from the agenda tonight to the November agenda with Council's approval. They are 9E, which is a new policy for the Police Department which is still going through editing, 9G which is the extension of the collective bargaining agreement with AFSCME which is going through legal review and editing and 9H which is still going back and forth between the Planning Commission and the Solicitor's office with some edits. We hope to have those three items prepared for you for your November meeting and circulated to you in advance of that meeting for review. At the same time we're going to ask Council if you will consider this evening the Borough Engineers recommendation which was in your folders tonight to award Phase II of the Historic Summerseat Accessibility Project. The bid opening was on Thursday and the bid tabulation was previously provided but I believe it is also in your packets tonight.

Ms. Smith stated, the other motion that was requested by Councilman Yager to have added to the agenda for Council's consideration of a motion to approve the Shamrock the Park Festival that you all got paperwork on during the agenda meeting and that would be March 14, 2020, of course they have to submit all required documents and things like that so it's up for consideration for the Council. I'll read the full motion at the time. One will be the one for the Historic Accessibility Improvements, 9J and the other one will be 9K and I have copies of them here for you Virginia so you have the wording.

SPECIAL PRESENTATIONS

There were no special presentations this evening.

HEARING OF THE PUBLIC

1. Hussam Jallad – *45 Ridge Avenue*

He stated that he wanted to follow up on the party house. He stated that it seems whatever has been done so far is not working or not effective as of now. He asked, where is the Mayor? I hope he's listening. You have Mayor's running for president and you know where is he, that's embarrassing, I would appreciate it if he starts attending or don't even commit to this job to begin with, thank you.

2. Holly Harman – *Hillside Avenue*

She stated that she wanted to thank everyone that came out and volunteered and helped with the first Annual Morrisville Food Truck and Music Festival last month, it was a good turnout and it was a lot of fun. She is also curious as to where the Mayor is, it's been over six months and not even a note being passed as to why he's absent.

3. Jane Burger – *90 W. Maple Avenue*

She stated that it would be short since several of the items have been scratched. Next month when you deal with AFSCME, I do hope you give the residents a summary of the main items if there are changes.

4. Graham Thompson – *341 Hillcrest Avenue*

He stated that he had some questions regarding the comprehensive inspection programs of curbs and sidewalks. He received notice for a couple of properties that he has in town.

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

MINUTES

Motion 6A – 6C - Motion to approve the Borough Council meeting minutes of August 19, 2019, September 10, 2019 and September 16, 2019.

Motion made by Mr. Yager.

Seconded by Ms. Dreisbach.

Ms. Smith stated, we have a motion and a second. Any questions on that motion? All in favor? Opposed?

Motion carried by voice vote 8-0.

ACTION ITEMS

Motion 7B - Motion to approve the bill list and pay bills.

Motion made by Mr. Yager.

Seconded by Mr. Bowers.

Ms. Smith stated, we have a motion and a second. Any questions or comments on the motion? Can I have a roll call please?

Motion carried by roll call vote 8-0.

Mr. Levin stated, with regard to the opioid litigation, the Borough had elected to be a plaintiff, one of many municipalities, counties, states, that are suing various pharmaceutical companies, distribution networks, retailers, as a result of the opioid crisis and the damage it's done. Things are moving along with that and actually at this point pretty much all of the plaintiff, states, counties, cities, are all part of what's being approved as a negotiations class. Basically it's consolidating the ability of all these plaintiffs to negotiate with the big players in the litigation. The court is certifying that negotiations class, so I am supposed to stand here before Council and let you know that at this point the Borough has the option to opt out of that negotiations class if they wish to do so. We would strongly recommend against that because basically that would mean sort of taking the Borough out of collective negotiations unit and going it alone and we're a much smaller player than some of these other entities. If anybody wants to make a motion to opt out, obviously council can vote on that, we strongly

recommend against it. Second, some good news locally, there was an illegal recovery house operation that was going on at the 400 block of North Delmorr Avenue, basically it opened up without being approved, it was sort of running as a gypsy operation, there were numerous complaints, we instituted litigation seeking to abate the nuisance and I'm glad to say rapidly resolved and they are winding down operations, my understanding is the property is either going to be leased or sold, I think it's being listed for sale by the owner right now and should be back to a residential use in no time, so that's some good news for the Borough.

Motion 9A - Motion to adopt the 2019 Halloween Policy.

Motion made by Mr. Parker.

Seconded by Mr. Yager.

Ms. Smith read the 2019 Halloween Policy.

Ms. Smith stated, I have a motion and a second, any questions on the motion? All in favor? Opposed?

Motion carried by voice vote 8-0.

Motion 9B - Motion to acknowledge receipt of \$46,114.21 from the PA Department of the Auditor General, and to approve distribution of 100% to the Volunteer Firefighters' Relief Association.

Motion made by Ms. Larison.

Seconded by Mr. Yager.

Ms. Smith stated, we have a motion and a second, any questions or comments on the motion? Could I have a roll call please?

Motion carried by roll call vote 8-0.

Motion 9C - Motion to adopt Walk Works Active Transportation Plan as recommended by the Steering Committee and the Borough Engineer.

Motion made by Mr. Bowers.

Seconded by Ms. Larison.

Ms. Smith stated, I have a motion and a second, any questions or comments on this motion? All in favor? Opposed?

Motion carried by voice vote 8-0.

Motion 9D - Motion to re-approve Habitat For Humanity development plans to be re-recorded with the County of Bucks and to accept the requisite O&M Agreements.

Motion made by Ms. Larison.

Seconded by Ms. Dreisbach.

Ms. Smith stated, we have a motion and a second, any questions or comments on the motion? Can I have a roll call please?

Motion carried by roll call vote 8-0.

Motion 9E - Motion to adopt a new Internal Affairs Policy for the Police Department.

Motion was pulled for next months meeting.

Motion 9F - Motion to adopt a new Part-Time Police Officers Hours Policy for the Police Department.

Motion made by Mr. Parker.

Seconded by Ms. Larison.

Ms. Smith stated, we have a motion and a second, any questions or comments on the motion? Can I have a roll call please?

Motion carried by roll call vote 8-0.

Motion 9G - Motion to approve new five year (2020 to 2024) Collective Bargaining Agreement with AFSCME.

Motion was pulled for next months meeting.

Motion 9H - Motion to adopt an Ordinance amending the C-1 District provisions of the Zoning Ordinance per the recommendations of the Morrisville Borough Planning Commission and the Bucks County Planning Commission.

Motion was pulled for next months meeting.

Motion 9I - Motion to approve annual contribution of \$3,000 to the Morrisville Senior Servicer, Inc.

Motion made by Ms. Larison.

Seconded by Mr. Yager.

Ms. Smith stated, we have a motion and a second, any questions or comments on the motion? Can I have a roll call please?

Motion carried by roll call vote 8-0.

Motion 9J - Motion to award the Historic Summerseat Accessibility Improvements Phase II to NJS Concrete for a total contract amount of \$185,394.50.

Motion made by Ms. Larison.

Seconded by Mr. Bowers.

Ms. Smith stated, we have a motion and a second, any questions or comments on the motion? Can I have a roll call please?

Motion carried by roll call vote 8-0.

Motion 9K - Motion to approve the Shamrock the Park Festival in Williamson Park on March 14th, 2020, contingent upon submitting and approval of all required documents and insurance for the event.

Motion made by Mr. Yager.

Seconded by Ms. Dreisbach.

Ms. Smith stated, we have a motion and a second, any questions or comments on the motion?

Mr. Parker stated, I would have liked a little bit more time to hear from people putting on the event about security they were going to provide since there will be a beer garden there. Other than that, I would have no objections. I would just like to have heard more before.

Ms. Smith stated, they are going to have to provide all that, so if there is anything that isn't provided properly, it won't happen.

Mr. Mitchell stated, we can add to the motion Madam President, if you wish, in addition to the normal application documents and certificate of insurance that they submit a security plan related to the event.

Motion 9K - Motion to approve the Shamrock the Park Festival in Williamson Park on March 14th, 2020, contingent upon submitting and approval of all required documents and insurance for the event and submitting a security plan.

Ms. Smith asked, can I have a roll call please?

Motion carried by roll call vote 8-0.

UNFINISHED BUSINESS

Mr. Mitchell stated, there was one matter of unfinished business, I'm supposed to remind Council that the Borough Engineer needs your direction on the CDBG projects for 2020, because the application period was moved up, it's going to open in December and applications will probably be due by the end of January. He had given Council a list at the last meeting, I believe it was five or six potential projects it was suggested that we narrow it to two and they'll conduct due diligence on those two and come back to us with more detail and then you can authorize submission.

Discussion ensued regarding what projects Council would like to propose for CDBG funds.

Ms. Smith asked Council if they were okay with using CDBG funds for the Library, Manor Park and ADA ramps.

BOROUGH OFFICIALS

Ms. Smith stated, with regards to the Library, we were thrilled to get that notice last week for the Keystone Grant. I have to thank State Representatives Perry Warren and John Galloway and our State Senator Steve Santarsiero for lobbying for us for the Library. Everybody is interested in the leaf drop off, a lot of these postings will also be on the Borough website as well as our Facebook page are on the internet for the Borough. So, on the leaf drop, people always ask me this, it's on Riverview and Delaware Ave, Monday to Friday from 7:00 a.m. to 3:00 p.m. and Saturday from 9:00 a.m. to 3:00 p.m. and it closes for the season on December 15th. Leaf pick up is at your house by Republic Services on your regular trash days, the leaves must be placed

in a paper bag or an open trash can. The Friends of the Morrisville Dog Park are holding their Annual Monster March on Saturday, October 26th, the rain date is Sunday, October 27th from 1:00 p.m. to 3:00 p.m., there will be a pet parade and costume contest. The MEAC is doing a cleanup and plantings at the Morrisville Riverfront Preserve on Saturday, November 2nd, the rain date is November 3rd starting at 10:00 a.m., they can use any help that anyone can offer them. Bring gloves and shovels if you can. Morrisville River Walk Group will be doing their last levee cleanup for the season on Saturday, November 2nd also at 10:00 a.m. They can use any helping hands that you can offer them.

Mr. Parker stated, the PTO is desperately looking for more cars to participate in truck-or-treat this Friday, October 25th in the high school parking lot, cars are need to be inside the lot by 5:30 to 5:45 the latest get set up. The event begins at 6:00 p.m., they will have to cancel if they do not get more people to participate, by participation they mean people willing to come to the event and hand out candy from their trunks. If anybody wishes to participate please message Rachel Muckin. You can reach her on Facebook messenger or email her at rmuckin@gmail.com.

Mr. Bowers stated, Madam President, I just wanted to comment on one of the things said during public comment about the sidewalks, because I've had a number of residents contact me, I have some more information I can give. Reach out to the code enforcement officer, although the letter does say I believe it's replacement, you do have the option for repairs including with blocks that just have single cracks just can be sealed, trip hazards that are a quarter inch or more can be ground down, so you may not have to have the expense of replacing all of this stuff that they've marked, so hopefully that helps you out.

Mr. Mitchell stated, actually, if I may Madam President, Mr. Thompson if you give me your phone number before you leave, I'll have the code enforcement officer contact you.

Ms. Smith stated, then if you can line that time frame up with some of your neighbors that also have the question that'd be good time to do that especially if it's on your

block there and they'll be able to answer those questions for you. Mr. Jallad, if you'd like to stay that meeting is going to end and you want to speak to us, the only thing I'm going to say is that we're continuing what we're doing, we're not going to talk about where we're going with this investigation with the party house, we all know what's going on, any violations he's still doing he's going to get those violations for it. You send the emails and Mr. Mitchell has already said that he was done commenting, if you want to just say we've received your email, we just said send your stuff to the Borough and the code company will keep a record of everything you're sending they're also monitoring it too, not ignoring it, but we're not going to talk about it at public comment about the investigation with this guy's house, we just can't, it's moving along. If you want to speak off record up here after the meeting it's entirely up to you.

Ms. Dreisbach stated, I'd just like to thank everyone that helped out and thank the Morrisville Recreation Advisory Board for an excellent day. We probably had about 500 residents there that day for the food trucks, both the bands were excellent and the DJ, everyone enjoyed it a lot of people just sat there for the whole day just listening to the music. The kids loved painting the pumpkins. I can't believe we had 150 pumpkins and they were almost all gone. I think we might have had four left at the end of the day. We had crafts they could paint little wooden figures and things like that for Halloween and they really enjoyed themselves and the food trucks were packed with people so we didn't really make a lot of money this year, but it didn't cost the Borough anything to put it on. We made enough money with people making donations for the pumpkins, we made \$206.00 on people just giving us money to let their kids paint, that paid for the port-o-pots and the pumpkins were actually donated by a few residents as well as a few other things. I just like to thank everyone and we're looking forward to next year's. One more thing, the Cub Scouts 3 at the Presbyterian Church will be having a car show on Wednesday evening this week, so if you'd like to come out and see the cars and support our little Cub Scouts, they would appreciate you coming out. Thank you.

Mr. Nay stated, I would just like to give an update on the red bridge replacement project that will begin happening the weekend after Thanksgiving, so the red bridge

will be closed 8:00 a.m. November 30th through 8:00 p.m. December 15th, that's a long period we're doing that just in case of weather, we'll try every effort to make it shorter than that, we'll be having quite a few different volunteers involved that will be myself, Stephen Leiby and Josh Gradwal who are all Canal Tenders. Most likely, that will be the people doing the teardown. We will tarp underneath the bridge and attempt to power wash the beams in order to put a fresh coat on those and then hopefully by the following weekend we can do the reconstruction. I'm also going to reach out to the Boy Scouts in regards to painting, I'd like to have the beams painted prior to arrival on site. The Boy Scouts were involved in the construction and painting of the steps leading from the bridge up to Crown Street so I thought they might like to be involved in that and I emailed all the particulars out to the Borough Manager, Council President, Ted also, since he's on the Joint School Board Committee, Damon Miller as well as our School Superintendent, just so they can make students aware that the bridge will be closed because they traverse the bridge during school hours. If anybody has any questions, please don't hesitate.

Mr. Mitchell stated, to borrow a phrase, could I do one more thing. I just wanted to relay word to Council to possibly end on a positive note tonight, we received word from Hough Associates who as you know, has been helping us with our annual Recycling Performance Grants, you may have seen a month or two ago in your packets that we were able to get over \$11,000.00 based on our 2017 recycling data, they just completed and filed our 2018 paperwork with DEP and it looks like we're going to clear \$18,000 for 2018.

ADJOURNMENT

Motion to adjourn.

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

Meeting adjourned at 7:47 p.m.