



The Morrisville Borough Council met on Monday, August 17, 2020 at 7:00 p.m. in Council Chambers at the Morrisville Municipal Building, 35 Union Street, Morrisville, PA for a Regular Council Meeting.

Mr. Parker stated, can we have a moment of silence and the Pledge of Allegiance?

Virginia Cyphers took roll call.

Those in Attendance:

Borough Council: Ted Parker, President (via Zoom)
Bob Paul, Vice President (arrived late, via Zoom)
Eileen Dreisbach (via Zoom)
Helen Hlahol
Scott Robinson
Nancy Sherlock (via Zoom)
Michael Yager

Borough Officials: Scott Mitchell, Borough Manager
Adam Flager, Solicitor (via Zoom)
Micah Heitz, Finance Director
Virginia Cyphers, Assist. Borough Secretary (via Zoom)

Not in Attendance: Justin Bowers, Councilperson
Dave Rivella, Mayor

SPECIAL PRESENTATIONS

There were no special presentations this evening.

Mr. Mitchell requested that Council have a very brief executive session at the end of the meeting to discuss personnel issues.

HEARING OF THE PUBLIC

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

MINUTES

Motion 6A - Motion to approve the Borough Council Regular Meeting Minutes of June 15, 2020.

Motion made by Ms. Sherlock.

Motion seconded by Ms. Dreisbach.

No discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by voice vote 6-0.

ACTION ITEMS

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

Motion made by Ms. Sherlock.

Motion seconded by Ms. Dreisbach.

Discussion took place regarding the motion.

Mr. Parker stated, roll call please.

Motion carried by roll call vote 7-0.

REPORTS

Mayor's Report – David Rivella – There was no report this evening.

Ms. Sherlock read the Turn the Towns Teal Proclamation on behalf of Mayor Rivella. She stated, I just want to say to the public I appreciate over the years the support for this and those who display the ribbons. It's a long haul for many and as far as the teal goes, that's the color that depicts ovarian cancer. We will have a basket, not that I think many people are coming into the Borough, but there will be a basket of ribbons down there as we have in the past for those who wish to put one on their own home and if anybody actually wants to help me hang any that is always appreciated. There are some trees that are lost this year, but we'll try to find others to put them on. So again, thank you to Council for their support and to the community. I just also have to mention that the local President of this Chapter, Jean Shipos who struggled with ovarian cancer for 21 years died last December but she was the driving force behind this and in our area so kudos to Jean and her memory. She also read the Gastroparesis Awareness Month Proclamation on behalf of Mayor Rivella. She stated, it's my understanding that there are a few residents in town that are struggling with this and contacted the Mayor.

Police Chief's Report – Chief George McClay – He stated, good evening Council. This month I met with a group of residents who represented themselves as the Morrisville Against Hate and also Black Lives Matter, we had a four hour meeting in the park which they gave me 35 questions that they wanted me to address. The goal I believe is to have a review board for the Police Department. We really never got to that point, they asked a lot of questions of hiring minorities within the county the different police departments, the rules of hiring, we went over a lot of directives within the Police Department. We did make progress, we had a very nice meeting and I think we should be meeting again in the future. I have encouraged them to participate in our government, come to our meetings, come to the council meetings and possibly run for some positions so they can really be involved in the day-to-day operations of the Borough itself. With that being said, I thought it was a very good meeting and I'm hoping we're going to meet in the future and that's about all I have.

Ms. Hlahol asked, Chief, did you write a recap of your meeting in the park and forward it to Council?

Chief McClay replied, I can give it the Mayor and he can distribute it to Council. I could do that.

Manager's Report – Scott Mitchell – He stated, actually I don't have a specific report for you tonight. Council gets a packet from my office every week. If you have any question about that material I'm happy to answer it unless the Council President prefers to do it, in which case I'm happy to yield to him. We did get two notifications of grants today. The first is, we received notice from the Bucks County Commissioners that the Borough has been approved for a grant application for the replacement of the roof on the Public Library in the amount of \$82,750.00. You'll recall that I believe it was last year we were previously awarded a grant from the state for this particular project in the amount of \$52,500, so it looks like that will be enough to get the roof project going. The second is we also received notice today that the Pennsylvania Small Water and Sewer Program Grant that we applied for the Melvin Avenue Basin Improvement was approved at today's Commonwealth Financing Authority Board meeting and that's in the amount of \$122,008, so it looks like with that approval we will finally be able to get started and finish hopefully the Melvin Avenue Basin Improvements that we've been talking about for well at least three years that I've been here, maybe longer than that I'm not sure. I have a couple of personnel matters for you this evening that we'll discuss an executive session but I also had two new items, they were bullet points on the agenda for us to chat about tonight. The first is, there's a move in Bucks County to install electric vehicle charging stations. I shared some information about a state grant program that is encouraging that and actually reimbursing municipalities for the cost of establishing electrical vehicle charging stations in one of your recent weekly deliveries. You'll also be getting additional information about it from the state's preferred Co-Stars vendor in your weekly packet his Friday. We've been talking to the Bucks County TMA which is the Transportation Management Agency about the possibility of two locations within the Borough if we wanted to move ahead with this. The first would be the Municipal parking lot at Bridge and Pennsylvania Avenue behind the Stockham Building, and the second would be the parking lot at Williamson Park. I had an opportunity recently to look at two units that were installed by Middletown Township

near us and to speak with them about their experience in doing it. So my question is, is there some level of interest by Council with moving ahead with something like this, in which case I will invite a representative of the Bucks County TMA and also a representative of the Co-Stars vendor who sells the units to an upcoming meeting to give Council a more detailed presentation about it.

Ms. Sherlock stated, for myself, I would be interested in having it here in town. This was brought up a few years back and because Falls Township had put one in and when I had inquired about it, they said that it was too close, but that was back before, I guess the numbers have increased. So is there any one that has taken any inventory as to how many vehicles might be in Bucks County or even in Morrisville? The second question or my suggestion would be, I would think that the Municipal parking lot downtown would be safer security wise than the park itself, unless we set up different lighting and security and so forth.

Mr. Mitchell stated, I'm not aware if there's an inventory of electric vehicles that reside in Bucks County. That would probably be a question for the Bucks County TMA, so that's something that they could answer if they're able to if we have them come in for a presentation. I didn't want to waste their time bringing both of those people in for a presentation to Council if there wasn't some element of interest, so I told them I would gauge your level of interest first. Thank you. Their experience has been that the cost of the electricity is pretty minimal. It's the cost of the electricity and the cost of I believe there's an insurance program you can pay some little monthly charge and if it gets vandalized or run over by a mac truck, you get a new unit. So basically, those were the only two costs that they're having to occur on a recurring basis. The vendor from ChargePoint will be able to explain all that.

Mr. Yager stated, if we can ask them to bring in comps to tell us what's happening in the area that would be helpful.

Mr. Mitchell stated, the TMA and the Co-Stars vendor who've been doing this have been doing all of the other locations in Bucks County that have been done so they've got a great idea of how it's going. I mean everywhere from I think Bristol Borough to

Quakertown they're dealing with Bucks County municipalities that are doing this. Again, I'm not suggesting we do it just to jump on the bandwagon, I mean is there merit to doing it? Does it add value to the downtown, to have one in the business district and to have one at the park for recreational purposes? Plus one of the things that the Co-Stars vendor told me is most people don't park their vehicle there for five or six hours to charge, it's usually more of a top off, if they've been out running around or they're catching a baseball game at the park they might hook up for an hour while they're waiting before they go home.

Mr. Yager stated, for me it's more of a question of do we support green energy as opposed to jumping on the bandwagon, that's just my two cents.

Ms. Sherlock stated, could you repeat what Mike said, I'm sorry it's just very difficult to hear.

Mr. Mitchell stated, Mike was inquiring about recurring monthly costs and I explained to him that there's a minimal recurrence. It's for electricity and it's for if you buy the insurance coverage on it which is very small, in case the unit gets damaged or vandalized or hit by a mack truck, you know you get a brand new unit installed, it's covered. So they can get in a lot more detail with us if we wish to have them out, but again I'm trying to gauge your level of interest.

Ms. Hlahol stated, I'm fine having them out here.

Mr. Robinson stated, I have a question Scott. This question would probably be for the representatives from the company, but would these stations charge a variety of vehicles and the reason I ask is the Tesla charging stations are all over the country and I think Tesla basically does everything, like they come in and they hook it up and they probably even pay for it, but I'm not sure if a Tesla charger would charge an electric Toyota or a BMW.

Mr. Mitchell stated, that's a good question, I can't speak to the issue of compatibility, I would think that at this point we've reached the point where it's universal but I can't

really speak to that, I think it would probably be best if we heard from the vendor on that. Just so you know, you're actually going to see a design of this thing in your packet on Friday, but if you've not seen them already, it's a standalone unit with two cords on either side so each station could charge two vehicles simultaneously and they're about nine to ten thousand dollars a piece. So total if we did two locations would be about \$20,000, but we would get reimbursed from the State for that if we were to do it as long as we got project pre-approval ahead of time.

Ms. Hlahol asked, did Middletown tell you how much they are spending on electricity because of this?

Mr. Mitchell stated, well they literally just got them installed a couple of weeks ago so they really don't have a good run rate yet. What I was going to do actually was check with somebody who's had them a little bit longer and see what their experience has been but I think the vendor for Co-Stars will probably have more and better detail on that they could offer us.

Mr. Robinson stated, I have another question, I'm not really following this. So we install this charging machine and we get the state reimbursed so basically installation doesn't cost us anything? Does the person that's charging their car is it basically a free charging like they pull up to it and they plug in and they get charged or it's free?

Mr. Mitchell stated, you have two options. Most of the municipalities have made it free for public use but at any time you can switch and there is a very minor fee for the public to utilize it. The thinking is that once you get it installed if you run it for free for a couple of years and then maybe switch over to a minor charge just to get people used to the idea of it being there and it existing, plus it will show up on searches of vehicle charging stations in the area the location will show up and whether there's a power station available at that time it will tell you that as well. If we were to decide to either charge from the very beginning or switch over to a charge at some point in the future once it gets seeded whatever revenue that was to generate would help offset of course the electricity and the insurance program costs, which I'm told are very minor

anyway. I don't think it should be viewed as a profit center because I don't think it ever will be one.

Ms. Sherlock stated, Mr. Parker, I have another question for the Borough Manager. Obviously this would be run by electric right, so it's not a solar unit?

Mr. Mitchell replied, right.

Ms. Sherlock stated, I don't know how we could tie in which I'm sure they'd figure it out, but we often talked about tying in electric in our municipal parking lot so that we could actually have a pay station. So I guess having electric down there setting up with the electric would all be part of the cost and hopefully it would all be reimbursed, I'm guessing.

Mr. Mitchell stated, all the site prep costs would be included in the project case but there is electricity at the municipal parking lot because there's parking lot lighting and I'm told that each of these things only needs the electricity required to run the hairdryer in your house, so it's very minimal.

Mr. Parker stated, I'm interested in hearing more about it.

Mr. Mitchell stated, well, that being said, I will contact them and we will see when we can get them on Council's agenda.

Ms. Hlahol asked, is there a deadline for getting reimbursed from the state?

Mr. Mitchell stated, there is a certain amount of time, you can't apply and then drag your pre-approval out forever, you do have a certain amount of time with which you need to be timely and buying the units and getting them installed.

Ms. Hlahol stated, but I mean a deadline for applying?

Mr. Mitchell stated, no. This would end up most likely being something that if we pursue it would be something that would happen in 2021.

Mr. Robinson asked, Scott did you say the amount of electric needed for a common hairdryer?

Mr. Mitchell replied, yes. They told me that the amount of electricity needed for these charging stations to charge a vehicle is about equivalent to an everyday common hairdryer.

Mr. Mitchell stated, the second item I had for you on the list there were bicycle racks, we've been kicking around the possibility of installing a small -- it's actually for like three to five bikes at the municipal parking lot at Bridge and Pennsylvania, also at the public library, and the parking lot at Williamson Park, three locations. These are very small low profile, I have a picture here that won't help anybody who's on Zoom, but if you would like to look, that's kind of what it looks like. You've probably seen them around.

Ms. Sherlock asked, the Library has one right, Scott?

Mr. Mitchell replied, it may, I don't know.

Ms. Sherlock stated, the Library does have one.

Mr. Mitchell replied, I didn't think that it did, so if it does, we'll just take that one off the list.

Ms. Hlahol stated, the Library did have one. It's on the right hand side, when you're going up the stairs it's on the right.

Mr. Mitchell stated, okay, so if they already have one we'll just drop them off the list, that's not an issue. So these are about \$300 a piece. Does Council have any feeling one way or another as to installing them and at the locations we've identified?

Ms. Hlahol replied, I'm good with installing them.

Ms. Sherlock stated, just for myself, I think they are a great idea, I don't really have a problem with it. Landmark Towns tried to put them across the town some years ago but we really couldn't find an appropriate place. You might know Andrew Hamilton, he worked with Landmark Towns to identify some locations and one of them was the shopping center, we were trying to get the businesses on board also, especially around bus stops, so I think it's a great idea.

Mr. Mitchell stated, certainly if a private property owner was interested in having one installed on their property we would share with them who the vendor is and put them in touch with each other if they wanted to get one, but we cannot be installing them on private property, we would be doing public property only.

Ms. Sherlock stated, I wouldn't expect that no. In fact, this program I'm referring to actually had artists, students designing them and they weren't necessarily plain and ordinary, they were of different shapes and sizes it was a pretty cool idea, but we just don't have that connection or capability right now.

Mr. Mitchell stated, okay so everybody is good with that? I'll work it out with John Later and we'll get them ordered and installed.

ACTION ITEMS

Motion 9A - Motion to approve entering into a one year agreement with Hough Associates to collect and submit the 2020 Recycling Performance Grant data for \$3,000.

Motion made by Mr. Yager.

Motion seconded by Mr. Parker.

Discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by voice vote 6-1. (nay vote being Ms. Sherlock)

Motion 9B - Motion to approve the LERTA application filed by Vinod A. Chawla for 32 West Bridge Street, Parcel# 24-009-131.

Motion made by Mr. Yager.

Motion seconded by Ms. Dreisbach.

Discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by voice vote 7-0.

Motion 9C - Motion to accept the bid proposal submitted by Republic Services for trash collection services from 2021 through 2025 and to authorize the Borough Manager to execute the necessary documents.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Parker.

Discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 4-3. (nay votes being Ms. Dreisbach, Mr. Parker and Mr. Yager)

Motion 9D - Motion to approve the settlement of the Tax Assessment Appeals of Colonial Gardens Partnership, LLC for Properties located at 490 and 491 Plaza Boulevard, Tax Parcel Nos. 24-001-058 and 24-001-058-001.

Motion made by Ms. Sherlock.

Motion seconded by Ms. Dreisbach.

Discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 6-1. (nay vote being Mr. Yager)

Motion 9E - Motion to approve Police Directive 203 – Deadly Force/Discharge of Firearms by Police Personnel.

Motion made by Mr. Yager.

Motion seconded by Ms. Dreisbach.

Discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by roll call vote 7-0.

Motion 9F - Motion to approve Police Directive 204 – Use of Force.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Yager.

No discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by roll call vote 7-0.

UNFINISHED BUSINESS

Ms. Hlahol stated, I have a question from our discussion last month, the Cloverleaf property, did we find out does the RDA own that or do we own that and who's responsible for cutting the grass?

Mr. Mitchell replied, the RDA has title to the parcels and we've been mowing it for about a thousand years.

Ms. Hlahol asked, is that part of the agreement?

Mr. Mitchell stated, the concrete blocks that you asked about belong to us.

Ms. Hlahol stated, okay. Is that part of the agreement when we gave it to the RDA that we would cut the grass? Yes, okay, and are we going to move those concrete blocks are we leaving them?

Mr. Mitchell stated, well no one really wants anyone back there, especially all terrain vehicles of any kind, because there are test wells set up and the first time they set up test wells they were damaged, so they were set up again and they're hoping they're not going to get damaged, so certainly we can move them if Council wants them moved or if we want to wait until the test wells are removed we could do it then.

NEW BUSINESS

There was no new business to discuss this evening.

BOROUGH OFFICIALS

Ms. Sherlock stated, I have a couple questions, I'll be brief. The first, again, I guess it would be for Mr. Mitchell, has there been any conversation with anybody, I guess in particular Senator Santarsiero with regards to the electric going out. I know that a few years back they were trying to work on it thinking that it was the substation and of course after this last outage it just doesn't seem to be getting any better and of course there's also thought that we have many trees in town and the trees can cause some of that obstruction. Has anybody said anything about the last outage or whether anybody's trying to fix it?

Mr. Mitchell stated, I know the Senator and just about all of his staff, but there's been no discussion about the PECO outage, no.

Ms. Sherlock stated, okay and then the second thing I have is, our employees, we have a policy our employees, it's under the behavior policy, it was written some years ago with regards to behavior on Facebook and comments and so forth for our employees and how it's really important that they just really not be on it. My question is, should not those same behavior policies be applied to anybody who sits on a committee that has been appointed by this Borough? I mean, my feeling is, they represent the Borough and that foul disgusting language should not be tolerated by anybody that sits on a committee that is on any Facebook page and I'm just wondering how number one, first how could we handle that and number two is this something that the rest of Council feels -- do they feel the same way I do that those people represent the Borough no matter what committee they sit on?

Mr. Mitchell stated, I'll yield to the Solicitor on the law, but in terms of the Borough's policies, I can tell you the Borough does have a policy that applies to employees regarding use of social media. Now that does not infringe upon their first amendment right in order to express themselves using social media that deals more with the use of social media when you're on Borough time and supposed to be working, it also deals with Borough business being discussed but any Borough employee can go on social media and talk about pretty much whatever they want. As for boards and commissions the folks that Council appoints to the boards and commissions, I'm not sure you can regulate their expression but again, I'll yield to Adam on that. There's no policy that I'm aware of that exists in the Borough at this time that regulates the speech or expression of people who serve on boards and commissions.

Ms. Sherlock stated, no, it wasn't in the behavior policy that we had done before so I realize that they're like a separate group. I understand that the free speech thing comes in.

Mr. Mitchell asked, Adam, do you want to chime in on this?

Mr. Flager stated, as a rule of thumb, anything that's pending before someone is obviously something you want to steer clear of but is the question whether the Borough can limit speech of people that are on boards or committees?

Ms. Sherlock replied, yes. I guess they can have a voice, but the vulgarness and the foulness is what is really to be appalling, but I'm not saying that people can't speak, but there's been some really very disgusting posts recently, that's why I brought it up. Someone brought it to my attention, but I guess when they're on their own time they can -- I guess I was expecting more from committees that they would take the opportunity to represent in a different way and that's just not happening, so once again, if we put it in the hands of the person using it, we can only hope that they behave differently.

Mr. Mitchell stated, I think what you might be referring to is some sort of civility oath or civility guide among the elected and appointed officials of the Borough. I know in other states there are municipalities who have such things. I'm not familiar with any in Pennsylvania there might be some, but not to my knowledge.

Ms. Sherlock stated, I wasn't necessarily thinking we could take any action, but maybe just sort of put it out there that it would be nice if all committee and members would think twice before they respond in some of the ways they've been responding, that's all. I mean they do in a sense represent us, I mean they've been appointed to those spots and what does it say about us that we appoint people that behave in such a manner. I've said my peace, thank you.

Ms. Hlahol stated, I just have another quick question. I know that back in March you had created a job description for Code Enforcement. Did that ever get posted anywhere?

Mr. Mitchell replied, no. I was asked to develop it and circulate it to Council for consideration and discussion. As far as I'm aware, there hasn't been any.

Ms. Hlahol stated, okay, yeah, I didn't know where that stood. I remember reading it in the packet, thanks.

Mr. Parker stated, I didn't hear that last question Scott.

Mr. Mitchell replied, she was asking about the job description a few months back that Council had asked me to develop for a part-time Code Enforcement Official.

Mr. Parker replied, okay. Have you developed one?

Mr. Mitchell replied, yes. I developed one within I believe a week's time and circulated it to Council for review and discussion but I don't think there's been any since.

Mr. Parker stated, I have been asked to make a public service announcement about how important the Census is to Morrisville. The Census Workers are going around visiting homes that are not in Census records submitting Census information. They will leave a visit form with the information to complete online or by phone. The main focus is the number of people and ages in the household, other questions are asked but if you're not comfortable with an answer people can refuse. It is very important to the Borough that everyone participate in the Census. You can do it online at my2020census.gov or by calling 1-844-330-2020.

ADJOURNMENT

Motion to adjourn made by Ms. Dreisbach.

Seconded by Ms. Sherlock.

Meeting adjourned 8:13 p.m.

Council took a five minute break before going into Executive Session.