



The Morrisville Borough Council met on Tuesday, February 11, 2020 at 7:00 p.m. in Council Chambers at the Morrisville Municipal Building, 35 Union Street, Morrisville, PA for a Council Agenda Meeting.

Mr. Parker stated, would everyone please rise for a moment of silence and the Pledge of Allegiance.

Virginia Cyphers took roll call.

**Those in Attendance:**

Borough Council: Ted Parker, President  
Bob Paul, Vice President  
Justin Bowers  
Eileen Dreisbach  
Helen Hlahol  
Scott Robinson  
Nancy Sherlock  
Michael Yager

Borough Officials: Scott Mitchell, Borough Manager  
Dave Rivella, Mayor  
Randy Flager, Solicitor  
Virginia Cyphers, Assistant Borough Secretary  
Micah Heitz, Finance Director

Not In Attendance: Victoria Sullivan, Junior Councilperson

Mr. Mitchell stated, if I may, Council will hold a brief executive session following the close of tonight's meeting to discuss legal matters.

Mr. Parker stated, back to announcements, 4A was a presentation by the Morrisville Little League, they've postponed that to March. 4B is the Borough Engineer on the Comprehensive Grant Program.

### **SPECIAL PRESENTATIONS**

Elora Das, Civil Designer with Gilmore & Associates, Inc., gave the annual presentation of the Comprehensive Grant Program. She spoke about the 2019 grants. She stated that in 2019 they submitted 13 applications, about the same as 2018 and their fee was approximately \$3,800 per application. As of today we've been awarded 4 grants, 7 are pending and 2 were declined, which were CDBG projects. She stated that the CDBG program has been successful for the Borough so for 2020 we are looking at applying for the matching grants for the library roof replacement, we are looking at a playground and parking lot for Manor Park and we are looking to continue with the ADA curb ramps. We are looking to phase in the construction of Patriots Park since it may be hard to get a big construction grant. We are looking at the idea of doing the parking lot or maybe the upper half or lower half of the park. She talked about traffic signal upgrades and replacements and the sidewalk connections and ADA ramps.

Mr. Parker stated, next is public comment. You have three minutes after you state your name and address and I'm going to ask that in the future we're going to have rules of decorum for our meetings and we're not going to allow public comment to single out any council member nor council members directly. If they ask a question, it's asked to the body and if you happen to have an answer you can ask the chair to answer it or if the Borough Manager has an answer he'll answer it, if not then our answer will be we'll look into it and get back to you.

---

**HEARING OF THE PUBLIC**

1. Andrew Lubin – *624 Crown Street*

He stated, he lives next to the Nebula Hookah lounge. Since I spoke two weeks ago I've had to call the police department twice because of the noise problems from there. I don't call at 11:05 or 11:06 because we're all young knuckleheads making noise at one time. I'm calling at 1:00, 1:30, 2:00 in the morning. Clearly on a work night, that's wrong. Mr. Borough Manger, I have a question for you sir, I understand that you've been requested to send Code Enforcement out to investigate the noise, the occupancy and the parking situation. Can you address that?

Mr. Mitchell replied, yes, we have been looking at various issues there from noise to capacity to parking. Yes.

Mr. Lubin stated, but nothing -- it continues every week as people continue to call.

Mr. Mitchell stated, yes we get copies of the police reports. We've met with the owners of the establishment. Citations have been issued and we're waiting for a court hearing. We are -- the Code Enforcement Department is doing everything the Code Enforcement Department can do to bring them into compliance.

Mr. Lubin stated, great, thank you. One more question. I understand also the Fire Chief went out several months ago to add certain additions and whatever things he wanted done. Has he been back to see whether the work has been done?

Mr. Mitchell stated, I believe you are referring to the Fire Marshal. Yes, he's been there several times. His requests have been dealt with by the owner but one of the citations that has been issued was by the Fire Marshal, so we'll be addressing those when the court hearing gets scheduled.

Mr. Lubin stated, great. I appreciate the time, I appreciate the effort, your answers. Next week I'll be back.

Mr. Parker stated, I just wanted to add something. I mean we all apologize for the situation that the residents in the area are dealing with. It's being worked on. The legal process is slow we just can't go in and close the place down. Citations have been issued, all we can ask is that you give it the opportunity to go through the court system.

Mr. Lubin stated, Mr. Parker I apologize I probably came out a little strong a couple of weeks ago.

Mr. Parker stated, if I had that issue next to me I would feel the same way.

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

Mr. Parker asked everyone to review the minutes that were in the drop box and if anyone has any changes to submit them as soon as possible.

#### ACTION ITEMS

Discussion ensued regarding the New York City Runs Trenton Half Marathon to be held on Saturday May 8<sup>th</sup> from 8:30 a.m. to 11:30 a.m.

Discussion ensued regarding the East Coast Greenway Ride to be held on Sunday, May 17<sup>th</sup> from 8:45 a.m. to 10:45 a.m.

#### NEW BUSINESS

Mr. Robinson stated, when I was door knocking back in the spring and in the fall, the residents on Park Avenue down by the Trenton Makes Bridge. Several of the residents on Park Avenue were complaining about the noise, the garbage and just the diminished quality of life especially in the summertime. I don't know how to fix the problem. We can't put a police officer down there for 24 hours. I have a suggestion,

but Mr. Flager, maybe I don't know if it would work. No parking signs or resident only parking signs from April to November, dawn to dusk. Something similar with what they have at the high school, you can't park on the street next to the high school during school hours, during the school year. A resident parking only on the west side of the street, no parking after dusk on the east side of the street for at least four neighbors that live on that street, Mary and Jean if you're watching on TV, Steve and Jessie. One of those that I just named had to move their bedroom to the back of their house from the noise and just the disturbance of what goes on out there and I've heard from people complaining about this and this can be fixed. As far as Mr. Flager with the legality of putting no parking signs up. I realize that this is an area that we want to attract people to and putting up the parking signs it's going to discourage them from coming. I get that angle but cars pulling up at 2:00 in the morning when the bars close and going up on top of the dike and throwing their food wrappers out, their empty liquor bottles, having sex in the car, having sex up on the dike. It happens down there in the summertime and the neighbors are fed up with it.

Ms. Sherlock stated, you're right, it's not a new issue. It only got worse once we put benches up there, but I don't have the answer.

Mr. Parker stated, it looks like there are a couple of things that can be addressed. There could be maybe some added patrols in the area.

Mr. Yager stated, my experience signs only work if there's enforcement and if there's already an issue and people are calling it in, the enforcement should already be there.

Mr. Parker stated, I'm sure it's something that maybe the Mayor and the Police Chief could look into and see if there's been an uptick in complaints during the summertime, but I'm sure we can follow up on this.

Mr. Robinson stated, there might not even be an uptick of complaints because when you have a situation like this people get tired of complaining and they just stop complaining and that doesn't mean the problem went away and if there's a car down there and there's people that are eating their food or drinking their liquor bottles and

whatnot and throwing it on the ground and they're there for a half an hour and someone calls 911 or calls the non-emergency number and calls the police 20 minutes after the person leaves, the cop is not picking the garbage up, the cop is not going to see the person that was there and then left, that's up to the neighbor to go out and pick up the bottles and they are the bottles that land on the grass that didn't land on the street and are broken now, whether they got broken when they hit the street or if they were laying in the street and someone drove over them. But this has been going on for lord knows how long at least 35 years because I used to walk up there on the levee when I was 14 and 15 years old at 1 o'clock in the morning and I shouldn't have been there so it's been going on at least that long.

Mayor Rivella stated, well, if I may, I can add that there are a few hotspots or trouble spots whatever you wish to call them that the chief definitely gives directives to the officers to make extra patrols and that is one of them. Like I said there's four that I could think of due to not really calls in, like you were saying, but we get called personally, people will discuss this with me and George and in fact then there's times and he puts it that he wants the officers to make notations on their logs that we do use extra patrol, so it sounds great, but don't count on that to be your one catch-all to solve the problem because we're already doing what you suggested.

Mr. Robinson stated, no disrespect to you or the Chief, but whatever we've been doing isn't working. It's not working. The same old solution, we'll get together we'll talk about it, it's not working the people down there are fed up. Second thing I have is Summerseat, I had a neighbor call me last week that the streetlight was out he wanted me to see if I could put more streetlights up on the street. We were talking for a little while and then he asked me, have you ever been inside that building across the street from my house and I said a couple times and he said I've lived here for about 10 years, I've never been in there, I don't know how to get in there. I saw people going in there one time and I went over and they were inside but they locked the door behind them when they went in and I couldn't get in. You can't talk to someone that loves this town without them mentioning Summerseat, right. It's on the side of our police cars, it's probably if it's not on our borough letterhead now, it used to be and I couldn't answer his question. If Scott asked me how I could get into Summerseat

when can I view it, when can I see it, what goes on there, you know what I'm going to tell you, I don't know.

Ms. Sherlock stated, first Saturday of the month, that's it.

Ms. Hlahol asked, what hours?

Ms. Sherlock stated, I think it's 10:00 to 2:00, I'm not positive.

Mr. Yager stated, it sounds right.

Mr. Robinson stated, thank you Nancy. I will tell him to walk over on a Saturday, the first Saturday of the month.

Mr. Bowers stated, they do have a Facebook page where they post events and hours.

Ms. Sherlock stated, if the door was shut it was probably because they rent it out to private parties.

Mr. Robinson stated, well that's what he asked me. He said he wanted to have a birthday party there for his wife, his wife turned whatever milestone birthday and he was interested in renting it out and he had no idea how to go about renting it out.

Ms. Sherlock stated, Google, just Google Summerseat.

Mr. Mitchell stated, it's a well-kept secret and a hidden gem.

Ms. Hlahol stated, just an FYI, Summerseat is having a George Washington tea this Saturday from 2:00 to 4:00.

Mr. Robinson stated, how convenient, I will let him know.

Mr. Mitchell stated, to speak to the question of the lighting, as part of the conceptual plan for Patriots Park, there is consideration being given to perimeter lighting around the square block as well as internal lighting throughout the park on the walking paths.

Mr. Robinson stated, I told him there would be some additional lighting with the Summerseat because his original complaint to me about the streetlights were because of you'll find this hard to believe, drug deals in front of his house on Legion Avenue. I drove coming home from work that I talked to him on the phone that day I drove home that morning when I got home at 3 o'clock in the morning and I drove up Legion and it was pitch black, the street. He said that there was a storm a couple of years ago and all the damage and they never replaced the light.

Mr. Mitchell asked, is the light still out?

Mr. Robinsons stated, no, I called John and John went out and they fixed it the following day so the light works. I talked to John about it and I basically relayed to this gentlemen that streetlights are for lighting the street, not your yard, not your house, not your driveway. His neighbor had his work vehicle broken into a few weeks ago and had a bunch of tools taken out of it so between the drug deals on the street and the neighbors getting their cars broken into and their work trucks, he wanted a little bit more light, but the streetlight works now.

Mr. Bowers stated, Scott just to let you know, nobody ever likes to hear this option but they can contact PECO and they can purchase their own streetlight and get an electric meter and put it up because my neighbor had done that years ago.

Mr. Robinson stated, I work at UPS with him he did his own light, I know. How much did that cost him?

Ms. Sherlock stated, speaking of lights, there's one place which I would love to see a light someday and that's at Bridge and Barnsley. It's one of the darkest intersections and also one of the, I'm going to say not overly dangerous, but you're coming off

Route 1 and of course there's activity at the Elks and there's lots of traffic there and it's very dark.

Mr. Mitchell stated, we'll have to look and see if there's a utility pole near the intersection there somewhere, that might be the problem because we would have nothing to attach it to.

### **BOROUGH OFFICIALS**

Mr. Parker stated, just for future reference new business would be for anything that anybody wants to add to the agenda.

Ms. Sherlock asked, do you think there will be new business once we leave our executive session?

Mr. Parker stated, I was just going to ask that question.

Mr. Mitchell stated, I don't think there will be.

### **ANNOUNCEMENTS**

Mr. Yager stated, I have a couple of items. One is I want to remind everybody about April 11<sup>th</sup> at 11:00 a.m. for the Morrisville Borough Easter Egg Hunt sponsored by the Morrisville-Yardley Rotary Club. It's always a great event. It brings out hundreds and hundreds of families. Come on out bring your kids. Kids under 10 can all be involved in the egg hunt itself. There's no charge to be involved in the egg hunt. All supplies are donated by people and businesses in the town. I do have a question for our Borough Manager, any updates, since we're talking about street lights, on the light on Melvin Avenue?

Mr. Mitchell stated, the light on Melvin Avenue, that's the one the electrician is having to do for us, right John. So, that's on our list. We didn't forget it.

Mr. Yager stated, I just want to make sure it wasn't falling off. The other thing I wanted to ask and I did send an email, I got your response Scott, but I just want to know from anyone else that's sitting on the dais, the Cops Grant we have a memo stating that it's the understanding that these schools are going to be covering the match however, I haven't seen anything in writing from any schools. I'm just wondering if anybody else has any information of where the matches will be coming from for the Cops Grant.

Mr. Parker stated, at the Joint School Board meeting between the school district and the borough, there was some discussion about that and if I remember it right and forgive me if I don't have it all 100% right, there were some purchases that the district had done after October 1<sup>st</sup> which would be when invoices would be able to be recognized under the grant that could be applied towards any future purchases or acquisitions under the grant, they want to so there would be no matching grant on their part and then I believe if I understood right from Darletta that Holy Trinity School understands that anything that they wish to acquire under the grant they would be responsible for the 25% match. I do believe there has to be further discussion by the school board as to what they want to do, but that's pretty much it.

Mr. Yager asked, are they going to be willing to put anything in writing because when it comes to contracts, what you have in writing is the law.

Mr. Parker stated, absolutely and then there's also going to be a Memorandum of Understanding or agreement with them that the next time any grants that include the school district in them that they are given the opportunity to review the grant and decide whether or not they want to be involved.

Mr. Yager stated, great. The other question I have is as far as applying purchases prior to Council approving the grant how is that going –

Mr. Parker stated, it's not before well it was after the grant was awarded.

Mr. Yager stated, yeah, but it wasn't signed off by the proper authority until last month so are they going to have any issues issuing something prior to the official approval and acceptance of that grant.

Mr. Parker stated, I believe that Darletta who is the representative for the grant has to have further discussions with the DOJ on that, but first conversations I believe that they felt that it was what they had already purchased could be applied towards any future as a match towards any future purchases and also the district understands that they have the potential to acquire additional security things that they may have been looking at doing this year and simply have to pay the 25% match.

Mr. Yager stated, anything we can get in writing would be fantastic. Thank you.

Ms. Sherlock stated, Mr. Parker, two other things I'd like to mention that was discussed, they don't really know what the match is because they don't know what kind of monies they're going to spend yet because there's an assessment being done, a safety assessment being done at those locations so they believe it will involve locks, doors, cameras, lights. So once they find out what that total is then they'll know what their –

Mr. Parker stated, just one thing, it's only a match on invoiced items to the DOJ, it's not a blanket match of the amount of the grant, we don't have to use the district.

Mr. Mitchell stated, they may not use the whole amount.

Ms. Sherlock stated, use whatever you need to use, that's it.

Mr. Parker stated, so there's a 25% match only on invoices that are sent to the DOJ.

Ms. Sherlock stated, and we were also told that one of the reasons it went through the police department which I think was explained that evening is because it comes through the Department of Justice which is always through our police department and actually the Chief and the Mayor were listed as signers through the Department of

Justice, but in the future you know to just keep us posted is certainly a much better avenue to take.

Mr. Yager stated, thanks. However, if you read the grant itself, it states that school districts could apply for it, they have the authority to apply for it as well. It doesn't have to be the borough or the police department.

Mr. Parker stated, right, it doesn't have to be, but since the borough had already had a relationship with the DOJ and prior cops grants, the grant writer felt that the schools had the best chance to get the grant approved if it was through the police department because the police department's jurisdiction covers both the school district and Holy Trinity where if the school district did it, it would only be for the district and if Holy Trinity did it, it would only be for Holy Trinity. That's through her conversations with the Department of Justice.

Mr. Yager stated, still done by folks that were not authorized though, right.

Mr. Parker stated, it is what it is.

Ms. Hlahol stated, I also think, I could be wrong Ted, didn't Darletta say that they would not incur any expenses until it was approved by an entity as to who would be paying for it.

Mr. Parker stated, right I believe it's gone to the point where if the district is in need of items that was already in their budget that they would look to see whether or not they wanted to do them now and if they had the money in the budget that they would be able to get, just throwing it out there, \$25,000 worth of equipment that they were scheduled to buy but only end up paying 25% of it and being able to save 75% of the cost of the equipment but that's all up to the school district and Holy Trinity as to what they think they would want to purchase under the grant and provided they had the matching portion of it, whatever they wanted to purchase.

Ms. Dreisbach stated, I think what Mike was alluding to was that it doesn't matter about how much they're going to be spending it's that we need something in writing saying that any matching funds will be coming from them. That's what we need something in writing saying they will cover all the matching funds.

Mr. Parker stated, well right now it stands that the school board and Holy Trinity have to, well more the school board because there's a board that has to make a decision as to whether or not they want to purchase anything else and apply the credit that they've already built up, so yeah, as far as purchasing, that's a simple phone call to Darletta and tell her that nothing could be invoiced until there's an agreement between all the parties.

Ms. Sherlock stated, I think at the meeting though she was firm about that, nobody is moving forward, and as far as the borough goes, the Chief said -- I'm under the impression that we are not buying anything we are not buying any equipment so that's where there is no match involved for the Borough, because the police department is not buying equipment.

Mr. Paul stated, but the point is, the Borough is on the hook for that and that's why I think Ms. Dreisbach and Mr. Yager are correct in saying that we should nail that down because even though it's up to the school if the school district wants to draw down they know they have a 25% match which they can use for applied previously paid for items, but as the school district pointed out to us, if they have an opportunity to apply for the grant and they don't want to be obligated to pay for a match without knowing about it ahead of time. I think there's a lesson to be learned here is that everybody should be notified before these applications are sent in and we can make sure we have the proper signatories and we can make sure that the entities that are going to be on the hook for any kind of match obligation know about it ahead of time and can make the decision rather than doing it retroactively and I think that's a valid point.

Mr. Parker stated, absolutely.

Ms. Hlahol stated, I have one more thing. Can we add a motion for next week to talk about if we can change the date of the council meeting from a Monday to either a Wednesday or Thursday?

Mr. Mitchell stated, if there's a consensus among council to add it to the agenda.

Ms. Sherlock stated, we normally would add what someone asks and then it just gets voted up or down. I just think there's an awful lot to move. We have a schedule I mean we would have to re-advertise which I don't even think would be the issue. I think the issue would be the rearranging.

Ms. Dreisbach stated, we have other meetings going on, committee meetings.

Mr. Parker asked, do you want a motion added or do you want to give it a little bit more time to discuss and see what would have to be moved? I mean we'd have to come up with a firm date like it's a Monday or a Thursday or whatever, I'm sorry forgive me I didn't hear the other day you said.

Ms. Hlahol stated, Wednesday or Thursday.

Mr. Mitchell stated, Wednesday or Thursday. Actually aren't one of those bad for you?

Mr. Paul stated, well Thursday's there seem to be lots of board meetings around here.

Mr. Parker stated, I know there are some committee meetings that fall on Thursday there's actually two of them tomorrow. There's the Recreation Board and the MEAC so there's a lot of moving parts to it. I'm not staunchly saying no, but there's a lot of moving parts and I think maybe look at the calendar and then see if we have a better one of those two days that may work and then come back and then maybe talk about it again.

Ms. Hlahol stated, that's fine.

Mr. Parker stated, there's also the option of one meeting a month which would be easier to move than having the agenda meeting which tags along that date by the resolution we did to create the special meeting to set the agenda, they have a time frame in which they have to precede the council meeting so that has to move as well or we'd have to redo that, but there's the option of reducing it down to one meeting in the not too distant future if everybody gets comfortable with it. That would make moving stuff around a little bit easier, but that's something else to think about.

Ms. Hlahol stated, okay, I'm comfortable.

Ms. Dreisbach asked, is there a specific reason why it needs to be changed?

Ms. Hlahol stated, just due to schedules, Monday is normally a hectic day. It's just easier to get –

Ms. Dreisbach stated, it always been a Monday as long as I can remember. I've been coming here for over 30 years and it's always been Monday.

Mr. Parker stated, all right, let's not add anything more to it. We don't need that. Let's stay professional.

Ms. Sherlock stated, if you need a motion to adjourn I'll make that.

Mr. Paul stated, second.

Mr. Parker stated, all in favor?

### ADJOURNMENT

**Motion** to adjourn made by Ms. Sherlock.

Seconded by Mr. Paul.

Meeting adjourned at 8:22 p.m.