



The Morrisville Borough Council met on Monday, March 16, 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, 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 (by phone)  
Justin Bowers  
Eileen Dreisbach (by phone)  
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

Not in Attendance: Micah Heitz, Finance Director  
Victoria Sullivan, Junior Councilperson

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**SPECIAL PRESENTATIONS**

There were no special presentations this evening.

Mr. Parker stated, we were supposed to have the DCED Police Management Study presentation tonight, but that's being moved to April tentatively, so we'll move to public comment.

**HEARING OF THE PUBLIC**

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

Mr. Parker stated, I don't see anybody from the public in attendance, so we'll move on to approval of the minutes.

**MINUTES**

**Motion 6A** – Motion to approve the Borough Council Regular Meeting minutes of November 18, 2019.

**Motion** made by Mr. Bowers.

Seconded by Mr. Yager.

Mr. Parker asked, all in favor? Any abstentions or objections?

Motion carried by voice vote 8-0.

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**Motion 6B** – Motion to approve the Borough Council Regular Meeting minutes of January 21, 2020.

**Motion** made by Mr. Bowers.

Seconded by Mr. Yager.

Mr. Parker asked, any discussion or comment? All in favor?

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

**Motion 6C** – Motion to approve the Borough Council Agenda meeting minutes of February 11, 2020.

**Motion** made by Ms. Dreibach.

Seconded by Mr. Bowers.

Mr. Parker asked, any discussion? All in favor? Any objections or abstentions?

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

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### ACTION ITEMS

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

**Motion** made by Mr. Bowers.

Seconded by Ms. Hlahol.

Mr. Parker asked, all in favor? Any objections or abstentions?

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

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### REPORTS

**Mayor's Report – David Rivella** – He stated, good evening everyone. I had a report, I'm not going to give it in the interest of time I think we should try to get on. Personally, I would hope you would just pay the bills and go home. Seriously, I'm not kidding. I am going to give a Junior Council Person's report on their behalf. They actually sent it to me a few minutes ago and I thought that was very responsible. Bear with me, she uses big words.

**Junior Councilperson's Report – Victoria Sullivan** – *(read by Mayor Rivella)* Good evening everyone. COVID-19 is now ubiquitous in both the news and daily conversations. Everyone has felt its impact, including young people. Schools have been mandated closed for two weeks and many are preparing for online classes.

Restaurants and stores are closing, public gatherings are cancelled, and standardized tests postponed. My plan for this Borough Council meeting was to bring in a group of eighth graders from Holy Trinity School. This past Wednesday, I gave a presentation to the students inviting them to visit the meeting to learn about how Borough Council functions and what topics are currently being discussed. I also encouraged the class to ask or email me any questions or concerns they would like me to bring to this meeting on their behalf, as well as distributed flyers. However, two days later Governor Tom Wolf ordered all schools closed for two weeks due to COVID-19, and other gatherings followed suit. I decided that it was in the best interest of the students' health and wellbeing to stay at home. I emailed Mrs. McDowell, principal of Holy Trinity School, that day and asked that students be discouraged from attending in favor of rescheduling the visit, and she agreed that this precaution was the most logical course of action. However, the framework has been set for a class visit in the future, and when the circumstances improve I hope to invite the students again.

**Police Chief's Report – Chief George McClay** – He stated, unfortunately I have a few things that actually have to be done tonight. An agreement was just sent to me from the District Attorney's office within the last hour. It's a Municipal Police COVID-19 Task Force, it's a mutual aid agreement. If you can tonight, this has to be signed immediately, it allows us just in case one department goes down, it allows us to share resources between departments. It's not a very hard document, but I think you need to act immediately on it, because I don't know when everybody is going to get together again. Secondly, I have the Speed Summary Report from South Pennsylvania Avenue which I also just got. One's one way one's a second way. First page you see is the overall summary. This is the traffic study for southbound, northbound, South Pennsylvania Avenue. So, what occurred was, two Fridays ago there was what looked like a speed limit sign put up which was just a counter. That was up for one week on one side then it was put up on the other week for the other side. One caught southbound traffic, one caught northbound traffic. So to give you a very short summary of this, the average speed going northbound is 30.35 miles an hour, going southbound is 31.53 miles an hour, the 85<sup>th</sup> percentile speed is 37.62, or 36.33. Every day of the week shows up on here, every day, every hour shows up here. It does not break down the different vehicles, it only breaks down speed.

Mr. Robinson asked, was this at Post Road?

Chief McClay replied, right in the middle of the cemetery. One was there and the one was right across the street on a pole and no one could see that's what it was. All it was was this little white box , it didn't light up, it didn't do anything, so it didn't give people a chance, and I also took my speed limit sign down there, my electronic one, for the last two weeks so it would be an independent study of the speed.

Mr. Robinson asked, you're saying you took it down, you actually, when you put it there or when removed it?

Chief McClay stated, I took it down, I got rid of it, it's in a garage. So it made an independent study, so people want to go oh, I'm going 30 miles so I'm going to slow down. This is a true independent study of what the speed is along that highway.

Mr. Robinson asked, how do you measure, is it a strip across the road?

Chief McClay replied, radar. It's a brand new unit that I borrowed off of Langhorne Borough. Brand new \$4,000 unit, so that really tells you, it gives you a really good indication of the speed. The speed is really being adhered to by the motorists mostly and as you see, there's other tables as you go along if you want to read them.

Mr. Robinson stated, not to get too technical, but when it gets moved around and whatnot, does it have to be recalibrated?

Chief McClay stated, I borrowed it if off John Godzieba, it's less than two months old. So no, it's accurate.

Ms. Hlahol asked, did it calculate the median?

Chief McClay stated, I gave you the average speed.

Ms. Hlahol stated, I know the median tells you what the speed is, like how many cars are above and how many cars are below.

Chief McClay stated, it gives you the 85<sup>th</sup> percentile, so it tells you 85% of the vehicles are below 37 miles an hour and it's my understanding, that's how the state measures things. So you can look on the second page, I'm looking at the southbound one, and it will give you every hour starting at 12 o'clock all the way down, it tells you how fast the average speed is of the vehicles. Obviously most is 36.2 and that's 9 o'clock in the morning, it tells you how many cars went through that during that hour and then the slowest is probably about 27 miles an hour at 2 o'clock in the morning, so please look at it.

#### ACTION ITEMS

**Motion 9A** - Motion to approve the Morrisville Little League Opening Day Parade to be held on Saturday, April 4<sup>th</sup> at noon. Subject to change.

**Motion** made by Mr. Yager.

Seconded by Ms. Dreisbach.

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

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

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**Motion 9B** - Motion to award the bid for 2020 Road Repaving Program to General Asphalt Paving Company, Inc. in the amount of \$190,858.19, per the recommendation of the Borough Engineer, and to authorize the Borough Manager to execute the necessary documents.

**Motion** made by Mr. Bowers.

Seconded by Ms. Hlahol.

*Discussion took place regarding the motion.*

Mr. Parker asked, all in favor? Opposed?

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

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**Motion 9C** - Motion for authorizing Morrisville Borough to participate in the Bucks County Department of Health 2020 Mosquito Control Program and to treat Municipal properties for mosquito control.

**Motion** made by Mr. Bowers.

Seconded by Mr. Yager.

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

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

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**Motion 9D** - Motion to approve the New York City Runs Trenton Half Marathon to be held Saturday, November 7<sup>th</sup> from 8:30 am to 11:30 am, pending Pennsylvania Department of Transportation Special Event Permit approval.

**Motion** made by Mr. Bowers.

Seconded by Mr. Yager.

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

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

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**Motion 9E** - Motion to designate an Official Voting Delegate and Alternate Delegate for the 109<sup>th</sup> General Assembly of Boroughs, June 7-10, 2020. The designated Voting Delegate is appointed for the purpose of electing the Officers of the Association and voting on proposed resolutions and policies.

**Motion** made by Ms. Hlahol.

Seconded by Mr. Parker.

*Discussion took place regarding the motion.*

Ms. Hlahol nominated Nancy Sherlock as the Official Voting Delegate.

Mr. Parker asked, are there any other nominations?

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

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

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**Motion 9F** - Motion to adopt a Resolution authorizing the Borough Engineer to submit a grant application in the amount of \$82,750 to CDBG for Morrisville Borough Public Library roof replacement and to authorize the Borough Manager to execute the necessary documents.

**Motion** made by Ms. Hlahol.

Seconded by Mr. Bowers.

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

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

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**Motion 9G** - Motion to adopt a Resolution authorizing the Borough Engineer to submit a grant application in the amount of \$440,000 to CDBG for certain installation of new sidewalk along West Trenton Avenue and ADA ramps along Washington Street, Hillcrest Avenue, Grandview Avenue and Melvin Avenue and to authorize the Borough Manager to execute the necessary documents.

**Motion** made by Mr. Yager.

Seconded by Mr. Bowers.

*Discussion took place regarding the motion.*

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

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

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**Motion 9H** - Motion to adopt a Resolution authorizing the Borough Engineer to submit a grant application in the amount of \$697,339 to CDBG for Manor Park Playground and to authorize the Borough Manager to execute the necessary documents.



**Motion** made by Ms. Hlahol.

Seconded by Ms. Dreisbach.

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

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

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**Motion 9I** - Motion to request PennDOT to conduct a traffic study of S. Pennsylvania Avenue from Philadelphia Avenue to Post Road 1) to reduce the speed limit to 25mph (from 30mph) and 2) to implement a traffic control device and traffic calming measures.

**Motion** made by Ms. Hlahol.

Seconded by Mr. Robinson.

*Discussion took place regarding the motion.*

Mr. Parker stated, let's do a roll call vote?

**Motion** carried by roll call vote 7-1. (nay vote being Ms. Dreisbach)

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**Motion 9J** - Motion to approve re-hiring Officer Kyle Areias as a part-time Police Officer.

**Motion** made by Ms. Hlahol.

Seconded by Mr. Bowers.

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

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

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**Motion 9K** - Motion to adopt a Resolution authorizing the signing of the PennDOT Reimbursement Agreement for the Bridge Street Crossing Project – Delaware Canal Towpath.

**Motion** made by Ms. Hlahol.

Seconded by Mr. Bowers.

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

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

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**Motion 9L** - Motion to authorize the Borough Manager to engage the professional services of Kozloff Stoudt Attorneys At Law at the municipal representation rate of \$225.00 per hour to conduct an internal investigation.

**Motion** made by Mr. Yager.

Seconded by Mr. Bowers.

*Discussion took place regarding the motion.*

Mr. Bowers stated, I'd like to make a motion to amend the motion to include a not to exceed fee of \$3,500.

**Motion** made by Ms. Hlahol.

Seconded by Mr. Yager.

Mr. Parker asked, all in favor of the change? Opposed?

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

Mr. Flager stated, that was only to amend, that hasn't been passed.

**Motion 9L** - Motion to authorize the Borough Manager to engage the professional services of Kozloff Stoudt Attorneys At Law at the municipal representation rate of \$225.00 per hour to conduct and internal investigation not to exceed \$3,500.

*Discussion took place regarding the motion.*

Mayor Rivella stated, thank you Mr. Chairman. This statement is really intended more for residents as I believe the Council already knows how I feel about the IA policy. I've sent numerous memos to the Council regarding it. I stand behind the opinion expressed in the letter from the Pennsylvania State Mayor's Association on the subject. I was given our complaint by the Borough Manager I reviewed it, I gave the complete complaint to the Chief of the Bucks County Detectives, he reviewed it as did a Deputy District Attorney. Both agreed no further action needed to be taken from their office. I offered a written conclusion. I feel any further action is a waste of taxpayer money. My personal opinion is that this is nothing more than another witch-hunt against our Chief of Police. My opinion is considering the Manager has given

the complaint to the Council, if they want to move forward they should give the matter to the US Attorney who rules on civil rights issues.

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

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

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### APPOINTMENTS

**Motion** to appoint (2) Economic Development Corporation: 3-year appointments to expire on 3/1/2023. (FYI: Don Diretto and Karen Kane expired 3/1/20)

**Motion** to nominate **Don Diretto** made by Mr. Yager.

**Motion** to nominate **Karen Kane** made by Ms. Hlahol.

Mr. Parker asked, do we have any other nominations? Hearing no more and since there's only two and there's only two appointments, we'll just vote yes or no on those two people. All in favor for Don Diretto and Karen Kane? Opposed? Abstentions?

**Motion** to appoint **Don Diretto** and **Karen Kane** carried by voice vote, 8-0.

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**Motion** to appoint (1) Library Board: 3-year appointment to expire on 3/1/2023. (FYI: Nancy Sherlock expired 3/1/20)

**Motion** to nominate **Nancy Sherlock** made by Ms. Hlahol.

*Discussion took place regarding the motion.*

Mr. Parker asked, do we have any other nominations? All those in favor? Opposed? Abstentions?

**Motion** to appoint **Nancy Sherlock** carried by voice vote, 8-0.

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**Motion** to appoint (1) Zoning Hearing Board: to complete unexpired term through 1/2/21. (FYI: Steve Schmelzer resignation of 2/6/20.)

**Motion** to nominate **Suzanne Zackowski** made by Ms. Hlahol.

Mr. Parker asked, do we have any other nominations? All in favor? Any objections or abstentions?

**Motion** to appoint **Suzanne Zackowski** carried by voice vote, 8-0.

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### **UNFINISHED BUSINESS**

There was no unfinished business to discuss this evening.

### **NEW BUSINESS**

Mr. Flager stated, Mr. President, the Chief of Police has handed me this, it's Municipal Police COVID-19 Task Force, it's a Mutual Aid Agreement with virtually every municipality in the County. I see nothing objectionable. I think it's actually beneficial to us and to our entire community and up for Council consideration.

**Motion 9M** – Motion to approve the Mutual Aid Agreement.

**Motion** made by Mr. Yager.

Seconded by Mr. Bowers.

*Discussion took place regarding the motion.*

### **HEARING OF THE PUBLIC**

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

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

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

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**BOROUGH OFFICIALS**

Mr. Yager stated, the Morrisville Yardley Rotary Club and the Morrisville Borough Egg Hunt is kind of up in the air right now. We did have a stuffing date, an egg stuffing date that was scheduled for this Saturday that is officially canceled. I am assuming it's not official yet, but I'm going to put it out there that the actual egg hunt will probably be cancelled. What we'll be looking to do, because we have, and I'm going to say, it 10,000 eggs. What we're going to be looking to do is deliver them to homes where we have children in the area. If you're interested and you have children in your home and you'd like a large bag of filled Easter eggs delivered to your home, so you can run our own little private Easter egg hunt in your backyard, living room or elsewhere, please reach out to me. You can get my contact information off of the website or you can contact the Yardley Morrisville Area Rotary Club and reach out to them either on the internet, through their website or through their Facebook page. Thank you.

Mr. Mitchell stated, Mr. President, I just actually need two more Council members who haven't already signed the plans for the completed Habitat for Humanity Homes that were constructed on Woodland Avenue. I know a couple of people were nice enough to sign for us last week, but I need two more signatures, so if Council members are willing and I think I'll have to lobby at this end of the dais.

Mr. Bowers stated, Mr. President, I just had a quick comment about Emergency Management. The Chief who is our Emergency Management Coordinator had mentioned at I believe last months meeting about new Council members taking Emergency Management courses. I don't know if anybody has yet, but if you haven't, I would strongly suggest it, especially since I just saw today that Lower Makefield

Township declared a state of emergency. I'm going to guess that won't be too far off in our future and in order to get Federal funding, we need to all be certified.

**ADJOURNMENT**

**Motion** to adjourn made by Mr. Bowers.

Seconded by Mr. Yager.

Meeting adjourned at 7:40 p.m.