



The Morrisville Borough Council met on Monday, July 20, 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. Paul stated, good evening everyone. Thank you for joining by whatever mode that you've chosen for tonight. Before we get started, obviously I'm sitting in for Ted Parker and I just wanted to pass on to those of you who might not know, on July 8th Wanda Kartal's mother and Ted's de facto mother-in-law, Esther Cummings passed away and I would just like for us to remember Esther and any of the others of our community who have passed away due to the virus or any other reasons for the past month as we entertain a moment of silence. Thank you. Shall we proceed to the Pledge of Allegiance in our various locations finding the closest flag and please stand.

Scott Mitchell took roll call.

Those in Attendance:

Borough Council: Bob Paul, Vice President (via Zoom)
Justin Bowers
Eileen Dreisbach (via Zoom)
Helen Hlahol
Scott Robinson
Nancy Sherlock (via Zoom)
Michael Yager

Borough Officials: Scott Mitchell, Borough Manager
Dave Rivella, Mayor (via tele-conference)
Randy Flager, Solicitor (via Zoom)
Scott Holbert, Solicitor (via Zoom)
Micah Heitz, Finance Director

Not in Attendance: Ted Parker, President
Virginia Cyphers, Assistant Borough Secretary

Mr. Mitchell stated, the only announcement I'd like to make Mr. Vice President, you're all already aware of this, but the Borough received word last week that we will receive a \$227,805.00 grant from the Commonwealth of Pennsylvania for traffic signal upgrades and improvements at the intersection of Pennsylvania Avenue and Trenton Avenue, so we're happy to receive word of that.

Mr. Yager stated, I'd like to thank Kurt and Gilmore for getting that done for us. Thank you.

Mr. Mitchell stated, the only other announcement I should make is there will be a brief executive session at the conclusion of this meeting. There will not be a need for Council to reconvene afterwards so we will just wait until adjournment. The purpose of that is to discuss legal and personnel matters.

SPECIAL PRESENTATIONS

There were no special presentations this evening.

HEARING OF THE PUBLIC

1. Jane Burger – *90 West Maple Avenue*

She stated, it's good to be able to be back in the building. Thank you.

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

MINUTES

Motion 6A - Motion to approve the Borough Council Agenda Meeting Minutes of March 10, 2020.

Motion made by Mr. Robinson.

Motion seconded by Ms. Dreisbach.

No discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 6B - Motion to approve the Borough Council Regular Meeting Minutes of March 16, 2020.

Motion made by Mr. Bowers.

Motion seconded by Ms. Dreisbach.

No discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 6C - Motion to approve the Borough Council Regular Meeting Minutes of May 18, 2020.

Motion made by Mr. Bowers.

Motion seconded by Ms. Hlahol.

No discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Mr. Yager stated, I did see the one mill that was moved to capital reserve which is what we do each year. The one mill was an agreement to put towards capital reserve each year. I do see you moved that over. Just as another comment, overall the general fund revenues look good year to date. It doesn't look like the pandemic or any of the other emergency situations we've been in have really hurt that too much and as of June at least, we'll see what July brings us, expenses are pretty well in line with what we expected.

Mr. Mitchell stated, we'll know more about the pandemic effects on revenue probably in August or September.

Mr. Yager replied, okay, good to know, thanks.

Mr. Bowers stated, I have a question for the Borough Manager. I saw on the treasurer's report there was a payment to TRAISR, I was just wondering if you could give us an update on that.

Mr. Mitchell replied, actually, if you'll recall, our goal was to be fully implemented by May 1st and of course COVID-19 disrupted that. Public Works is 85% integrated into TRAISR and the Code Enforcement Department is at about 70%, so we're thinking that probably by October or at least by the end of the year will be good. I think that payment you noticed is actually our last. I think next month is a partial, but we're already fully utilizing it. We were hoping that this summer we would actually do a demo here at a council meeting for all of you to see how we're utilizing it, but because of the circumstances, that has not worked out, but we still intend to do that at some point. I think it would be most valuable when we can have everybody in the room and you can see how each department is using it.

Mr. Bowers stated, thank you.

ACTION ITEMS

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

Motion made by Mr. Bowers.

Motion seconded by Mr. Yager.

No discussion took place regarding the motion.

Mr. Paul stated, roll call please.

Motion carried by roll call vote 7-0.

REPORTS

Mayor's Report – David Rivella – I was able to take part in the Annual Mayor's Conference this year, lots of different speakers. They spoke on a number of topics including emergencies, emergency services, police issues. Other timely subjects included such as fireworks and just to touch lightly on that because I know we had a couple of residents reach out to me as well as the Council, they shared a couple of ideas with what some of the other Boroughs in Pennsylvania are doing, not that I'm saying we should or shouldn't, there are ways to regulate things. One interesting story they shared was in Harrisburg they actually designated four of the parks and I don't know how many parks Harrisburg has, but they had four parks designated as safe places to light the fireworks under the supervision of the local Fire Department, that way they could monitor everyone, give courses if they had to and to maintain safety and to maintain the distance of the 150 feet that is a big concern for everyone so that was an interesting thing I wanted to share. They talked about obviously emergencies and man-made disasters and how they're handled and how they were handled before COVID-19. Certain things always come up like the Red Cross shelters and how people want their pets they want to take their pets to the shelter and I certainly understand that and it's more challenging now with the social distancing that everyone has to do, so just certain things like that I felt interesting I wanted to share. I do want to thank Chief McClay for the good job of keeping everyone safe. We had basically in my opinion three different groups when we had protests and demonstrations and I thought that was interesting that three different groups got together in Morrisville and

maintained a nice peaceful atmosphere. I also want to thank the Chief for not making a jerk reaction as it was suggested to him that he should violate some people's rights that were openly carrying and I'm glad that he didn't violate anyone's second amendment rights. I think the Borough would be in a lot of hot water and cost a lot of money to represent the Chief had he done so. I think this is why the people of our Borough like Chief McClay and I know I shared a letter recently that we got thanking him for that type of service. Also, I know I mentioned it last month just briefly I'd like to make sure I mention it again that I'm asking the elected officials to be mindful of how they speak to our employees.

Police Chief's Report – Chief George McClay – He stated, good evening Council, it's nice to be back. Update on our manpower, Jason Saucier who's one of our part-time officers resigned this past week. He went on to be a full-time investigator with the Department of Labor, so he returned to the Federal workforce. Currently, we have eight full-time officers plus myself working. One full-time officer who is IOD, we have seven part-time officers and one part-time officer who is also out, he's actually long-term IOD. The March on July 11th, it was very peaceful, it went on without incident. Like the Mayor described, we had three groups that day which was sort of a surprise to us, at least one of the groups. I'd like to thank my officers, they did a tremendous job that day as well as Officers from Tullytown, Falls, Middletown, Lower Makefield for making it a very peaceful day for Morrisville. I also like to thank the MERT team that was stationed in town which most people didn't know we had them here but we did have a large contingency, just in case things went south. Prior to March 11th, there were several remarks made on social media where I'm referred to as the cop, it stated that I gave the park away to social justice group. As we all know, reservations for the park doesn't come from my office. I was informed that proper forms were sent out to this group and yes I did indeed reach out to them to get information about what was going to go on with the march which proved to be very helpful. So no, I did not give away the park, there was never a discussion of fees or rules of the park. I just want to make sure everybody knows that.

ACTION ITEMS

Motion 9A - Motion to approve the Memorandum of Understanding with Morrisville School District regarding the School Violence Prevention Program Grant from the U.S. Department of Justice.

Motion made by Mr. Robinson.

Motion seconded by Ms. Hlahol.

Discussion took place regarding the motion.

Mr. Paul stated, roll call.

Motion carried by roll call vote 7-0.

Motion 9B - Motion to authorize the sale of Borough owned property located at 30 Hillcrest Avenue, Parcel ID# 24-009-045, to authorize the issuance of written notice to the tenant pursuant to the terms of the lease agreement, and to authorize the Administration to enter into an agreement with the Bucks County Redevelopment Authority for the redevelopment of the property.

Motion made by Mr. Bowers.

Motion seconded by Ms. Dreisbach.

Discussion took place regarding the motion.

Motion to table made by Ms. Dreisbach.

Motion seconded by Ms. Hlahol.

Mr. Paul stated, roll call.

Motion to table carried by roll call vote 7-0.

Motion 9C - Motion to authorize the refinancing of TD Bank Term Loan of \$912,738 from 2.99% to 1.62% and to authorize the Borough Manager to execute the necessary documents.

Motion made by Mr. Bowers.

Motion seconded by Mr. Yager.

Discussion took place regarding the motion.

Mr. Paul stated, roll call.

Motion carried by roll call vote 7-0.

Motion 9D - Motion to approve the request by the Morrisville Borough Police Association to hold the grievance filed by Corporal Michael Pitcher in abeyance pending the final disposition of the criminal charges filed against him.

Motion made by Mr. Robinson.

Motion seconded by Ms. Hlahol.

Discussion took place regarding the motion.

Mr. Paul stated, roll call.

Motion carried by roll call vote 7-0.

Motion 9E - Motion to adopt a Resolution authorizing the Borough Engineer to prepare and submit a Redevelopment Assistance Capital Program (RACP) grant application for construction funding for Patriots Park.

Motion made by Ms. Dreisbach.

Motion seconded by Mr. Paul.

Discussion took place regarding the motion.

Mr. Paul stated, roll call.

Motion carried by roll call vote 7-0.

Motion 9F - Motion to approve the 2020-2021 Gasoline & Diesel Annual Bid/Contract through the Bucks County Consortium. Unleaded Regular Gasoline:

Petroleum Traders Corporation @ \$0.0147 per gallon (delivery charge) market fluctuation pricing; On-Road Ultra Low Sulfur Diesel Fuel: Petroleum Traders Corporation @ \$0.0117 per gallon (delivery charge) market fluctuation pricing; Off-Road Diesel Fuel (#2 Dyed Diesel): Suburban Propane @ \$0.3000 per gallon (delivery charge) market fluctuation pricing.

Motion made by Mr. Yager.

Motion seconded by Ms. Hlahol.

No discussion took place regarding the motion.

Mr. Paul stated, roll call.

Motion carried by roll call vote 7-0.

Motion 9G - Motion to approve recognizing September 2020 as “Ovarian Cancer Awareness Month”, along with support of hanging ribbons on trees around Morrisville Borough and the “Turn The Towns Teal” awareness campaign.

Motion made by Ms. Sherlock.

Motion seconded by Ms. Dreisbach.

Discussion took place regarding the motion.

Mr. Paul stated, roll call.

Motion carried by roll call vote 7-0.

UNFINISHED BUSINESS

There was no unfinished business to discuss this evening.

Mr. Paul asked, I’ll note that on Friday, we had the hearing with Jean Agustin appealing his \$30,000 fine that he was hit with in our local court in February and the court in Doylestown reduced the fine to \$4,500.00. I don’t know whether the Borough Manager, do you have any further report on this or does anyone else have anything else they want to add?

Mr. Mitchell stated, I don't have anything to add, I was going to discuss that along with a few other things in executive session.

Mr. Paul stated, okay. Well what I said is just all a matter of public record. I also think it's important to keep the issues of Jean Agustin and the party house before the public portion of this meeting as well as the private so thank you for indulging me.

NEW BUSINESS

Ms. Hlahol stated, I'd like to add something. I noticed that some of the neighbors were telling me that Keystone is still walking around and marking up sidewalks I'm wondering if we could have a motion for them to pause that program due to COVID and peoples financial difficulties in trying to get their sidewalks fixed.

Mr. Mitchell stated, actually you can do the motion, but just if I can comment, all of the deadlines related to the curb and sidewalk program have been extended because of COVID.

Ms. Hlahol stated, some of the neighbors were telling me that they're still marking up sidewalks. I would like them to pause until after COVID is done. That's my motion if anybody else agrees.

Motion 9H - Motion to pause the curb and sidewalk compliance until December due to COVID-19. This does not apply to U&O Permits.

Motion made by Ms. Hlahol.

Motion seconded by Mr. Robinson.

Discussion took place regarding the motion.

Mr. Paul stated, roll call.

Motion carried by roll call vote 4-3. (nay votes being Mr. Bowers, Mr. Paul and Mr. Yager)

BOROUGH OFFICIALS

Mr. Robinson stated, there are a couple of residents that called about -- the Mayor touched on it about the fireworks. I don't know what the answer is, the enforcement, George would know that. If there's 500 people lighting off fireworks and there's (2) officers working, there's no way that you catch everybody that's lighting them. I don't know if there's anything we can do. We don't have the space in the Borough to do like they did in one town where they had a firework launch supervised while they were lighting them off, but if anyone has any ideas what we can do to control the fireworks other than telling your neighbor if they're lighting them off please stop or other than policing ourselves, I don't know what we can do, but I just want to put that out there that a lot of people are complaining about fireworks.

Mr. Bowers stated, Scott, I would recommend Googling Pennsylvania Fireworks Laws. There is some movement in Harrisburg to basically go back to what we had before which seemed to curtail, although two years ago people complained about fireworks, it seems like it's ten times worse two years later, so maybe if they roll back what's allowed to be purchased and shot off here that may help, but Google it because I think there are some legislators –

Mr. Robinson stated, the money that Harrisburg is getting in tax, that's the problem.

Mr. Bowers stated, yeah but they're getting a whole lot of complaints too.

Ms. Sherlock asked, will we be discussing that police study or have a presentation regarding that police study? Is there any plan for that or is that just something for our information?

Mr. Mitchell replied, well, the consultant who did it and the DCED Representative that was involved with it are still intending to come out once they're allowed to, to do a face-to-face presentation. However, I don't think that prevents Council from

reviewing it. In the meantime, I think you all have copies and I think it's on the Dropbox.

Ms. Sherlock stated, I'd also just like to say thank you to our Police Chief and the other officers and the officers from the surrounding towns for their presence on July 11th. I know that the Mayor mentioned this earlier for the peaceful rally, but I'd also like to say thank you to the participants who were respectful and peaceful and I think that it's a high mark for Morrisville and it went well and he also mentioned Officer Jason Saucier, we wish him luck in his future, it sounds like he's stepping up. One last thing is the Delaware River was named River of the Year from the American River's Association, they were quoted as saying that this is a National success story because the Delaware River of course was so polluted many years ago but a large part of that success is Maya Van Rossum who is our River Keeper and she has been extremely passionate and has been part of that for 27 years and just as a reminder that the river actually provides drinking water to 15 million people in the vicinity. There's many reasons to like the river but drinking water is one of them for sure, and last is the Elks Club is having a flea market on August 15th, so if anybody wants to buy a table or drop off donations, please contact them. Thank you.

Mr. Yager stated, I'll bring this back up when Mr. Parker is back because it should be the entire Council, but I was planning on bringing this up tonight anyway and I touched based on it a little earlier. Short of getting an email recently on some potential changes of positions within the Borough and some rumors of a Council person wanting to be Borough Manager, I don't know what the goals of this Council are. I don't know what our direction is at all. Maybe it's just a communication thing amongst Council, but I'm at a loss for what our direction is, are we just looking to maintain and keep things the way that they are or are we looking to grow and change? I do like that we're voting in favor of moving forward with the park, that's real important to me, it's something that I really want to see get done and we're paving roads and doing some good things there, but I'm just not clear on what our goals and our direction is for this council, so I'll bring up this again next month because it's something that the Council President should certainly have a say in and be leading the charge on so I just wanted to kind of throw that out now so we could all kind of be

thinking about hey, what are we actually doing here, what are we trying to do, are we just here to snipe and have arguments or are we actually looking to do something good for the town, and that's really where I'm at with stuff right now. Thanks.

Mr. Paul stated, Mr. Yager, I couldn't hear everything you said, but I agree with most of it and frankly, I think that it would be great if the Council, if we could carve out some time and I know that there are procedural issues as we can't get together without being a public meeting and all that, but it would be great if we could figure out some forum and we could have an offline discussion and I understand there are some things we can and can't do, but I think it would be very helpful for this group to have some sort of a policy conversation at some point. I don't know how we organize it, I don't know how we conduct it, or whether it's possible, but if it is, I got to tell you, I am 100% in favor of it.

Mr. Yager stated, I agree with you and it's something we could definitely talk about. Maybe we could do an ad hoc special meeting like we had in the past to be able to just have that frank conversation without voting on things.

Mr. Paul replied, right.

Ms. Sherlock stated, Mr. Paul I didn't hear all of what Mike said either but did he say something about a Borough Manager and someone wanting to be the Borough Manager?

Mr. Yager replied, yes.

Ms. Sherlock asked, a Council person wanting to be a Borough Manager?

Mr. Yager replied, that's my understanding, yes.

Ms. Sherlock stated, I haven't heard that.

Mr. Yager stated, it can't be. We know, it can't be. It was just a conversation that came across.

Mr. Paul stated, I haven't heard that either myself, but putting those examples aside, I think it definitely would be beneficial to the Borough and to all of us individually, personally, I think if we could get an idea what are we working for here, what do we believe in, where do we agree and where do we disagree? We're not even clear on that I don't think among ourselves and we should be and granted we didn't have as much opportunity to work together or to coalesce within the first six months thanks to the COVID pandemic and all that, but even without that there's a lot of dissension, division all that and I'd like to build a bridge across that I think some of you who know me know that I truly believe that and I would love to be able to have a conversation about bigger issues and where we're headed than just to get mixed in the specifics and just these roll call votes. I think it would be very beneficial for all of us and for the town and let's just think of among ourselves and talk among ourselves with advice from the Borough Solicitor and the Borough Manager on how we can accomplish that and obviously Ted's going to be a big player in that, I'm not speaking on behalf of him but I can't imagine that he wouldn't support that kind of an approach.

Mr. Mitchell asked, Mr. Paul, could I add something under Borough Officials? As Council is aware we received the sanitation bids recently there was an item in your Friday delivery regarding that and there's going to be further analysis in this Friday's delivery. At some point, we're going to have to discuss how Council would like to proceed in light of the fact that we only had one bidder who bid on both options. We only had two bids total, so some decisions are going to have to be made as to Council's intentions.

Ms. Sherlock asked, will that be on the agenda next month?

Mr. Mitchell replied, absolutely. Council will have to make a decision in August as to whether you wish to proceed with the primary bidder or if you wish for us to re-bid.

ADJOURNMENT

Motion to adjourn made by Ms. Dreisbach.

Seconded by Ms. Sherlock.

Meeting adjourned.

Council took a five minute break before going into executive session.