



The Morrisville Borough Council met on Monday, September 21, 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 (via Zoom)
Justin Bowers
Helen Hlahol
Scott Robinson
Nancy Sherlock (via Zoom)
Michael Yager

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

Not in Attendance: Eileen Dreisbach, Councilperson
Dave Rivella, Mayor

Mr. Mitchell stated, we will have a brief executive session at the conclusion of tonight's meeting for legal and personnel matters.

SPECIAL PRESENTATIONS

Steve Noll, Executive Director of TMA Bucks (Transportation Management Agency) and Ray Delfing of National E Solutions gave a presentation regarding installing ChargePoint Electric Vehicle charging stations in the Borough.

Discussion took place regarding installing ChargePoint Electric Vehicle charging stations in the Borough.

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 August 17, 2020 with the adjournment time corrected.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Bowers.

Discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

ACTION ITEMS

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

Motion made by Ms. Sherlock.

Motion seconded by Mr. Bowers.

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.

Police Chief's Report – Chief George McClay – He stated, I have three things to discuss tonight. The department has raised \$14,000 and we have ordered new body cameras for the officers. Our last body cameras for the officers were five years old, so the new ones that we are purchasing at no cost to the Borough will have better technology, better video and better audio. The money was raised mainly between myself and Corporal Smith going out to our businesses in and around Morrisville. The business were Dairy Queen, Burns Pharmacy, Morrisville Economic Development Corporation, Garlits Printing, Mazza Iron & Steel, Resource Recycling, Shades of Green, Ken Terry, 7-Eleven, Sky King, Pastor Mario's Church, Britton Industries, Morrisville Business Association, Bears Auto and Eagles Lodge. We expect there's going to be more money coming in. We have enough money to buy six right now and I expect that we're going to have some more, we'll probably go up to eight. We are the first department again in Bucks County to go to an upgraded version of our body cameras. We were the first in the County to start five years ago with body cameras, so in this day of age of everything going on, everybody wants to see video, we will have the best that's out there right now, that's number one. I'm very proud of the officers for raising that money because it was not going to be in our budget to do it, so they know how important it is, how important the trust of our citizens are of our department that we do memorialize every incident we go out on. Second, on Thursday night, I will be participating in a panel discussion through the Bucks County Community College and the Bucks County District Attorney's office. They will be showing a movie called Walking While Black: L.O.V.E. Is The Answer. It's a one-hour movie that starts at 6:00 and then at 7:15 it will be a panel discussion. There are advertisements up here on the table if anybody would like to see it. Lastly, I think Directive 124 and 221 are on your agenda for tonight. When they are approved

if I could get a copy of a final version sent to my email as a word document I would appreciate that because I haven't seen what the final version is exactly going to be.

Randy Flager stated, Chief your comments were really well received and on point and we thank you for your input, it was very helpful.

Ms. Hlahol asked, Chief, where are those directives initiating from and are you writing them from scratch or are you getting them from somewhere?

Chief McClay replied, I have a whole set of 100 directives, they are either made up by myself or taken from other departments or taken from the International Chief of Police Association, the Pennsylvania Chief of Police Association, multiple places.

Ms. Hlahol asked, do we have one, I noticed that you have a directive regarding chases outside of town, is there a directive about officers and what their status or what they're allowed to be out of town if it's not on police business while they're working?

Chief McClay stated, my officers leave the Borough a lot of different times. They process a prisoner they had to take them up to Lower Makefield, they could go to a lot of different other places for doing other things, they could go over to New Jersey to pick up a prisoner. I'm a little confused on what you really would be looking for.

Mr. Mitchell stated, are you asking about non-police business but during the work day?

Ms. Hlahol replied, yes.

Mr. Mitchell stated, I think she's asking about non-police business but during the work day.

Chief McClay asked, such as?

Ms. Hlahol replied, leaving the Borough limits on non-police business while they're on duty, is there anything?

Chief McClay replied, not that I know of.

Ms. Hlahol stated, okay, what is your philosophy or policy, what internally, what do you think about –

Chief McClay stated, it depends on how far you're talking and what they're going for. This hasn't been an issue. If there's an issue that needs to be dealt with then please send it to the Mayor and we'll deal with the individual situation.

Ms. Hlahol stated, yeah, I'm just asking in general.

Chief McClay stated, yeah, I don't see that as being a concern. These guys are here.

Ms. Sherlock stated, Chief, I was just wondering what enforcement equipment that was purchased this month, is there something, it was like \$1,800, what specifically is it, out of the norm or something different, special or what was it, if you're allowed to tell us.

Chief McClay asked, are you taking that off the bill list?

Ms. Sherlock replied, it's on the financial.

Chief McClay stated, I don't know.

Mr. Mitchell asked, are you talking about the financial statement or the bill list?

Ms. Sherlock stated, on the financial it says month to date was \$1,879. It's a bit of a chunk and I just didn't know what it was.

Chief McClay stated, I can pull the bills for the month and send them to you if you need me to.

Ms. Sherlock stated, okay. Second question, I didn't know if you said it, but I couldn't hear it, I heard the list of people that you said were helping to raise money for the body cams, but did you give a figure of what you have already?

Chief McClay replied, we have raised \$14,000 and the body cameras cost approximately \$13,900.

Mr. Parker asked, Chief, did you go to your third item?

Chief McClay replied, yeah, the third item was just that I need a copy of the directives electronically that's all.

Ms. Hlahol stated, the Mayor probably has them, you can ask the Mayor.

Mr. Mitchell stated, actually you were both on the email with the final versions, but we can send it to you again.

Chief McClay replied, thank you.

Ms. Sherlock stated, I have one more question. This was listed under the financial, Police donations of \$12,000, would that be the body cams, Mr. Mitchell?

Mr. Mitchell replied, yes.

Chief McClay stated, in the meantime, we've just received three or four more checks.

Ms. Hlahol asked, how many cameras are you getting?

Chief McClay replied, six.

Ms. Hlahol asked, so you've reached your goal?

Chief McClay stated, yeah, we reached our goal.

Ms. Hlahol stated, that's fantastic.

Chief McClay stated, but if I do get more money I will buy more cameras and back up batteries and other things that go with the system itself.

Ms. Hlahol stated, congratulations, that's great, fantastic.

Mr. Robinson asked, how was this advertised, I hadn't heard about it, I would have donated.

Chief McClay replied, we sent it out to the businesses in the area, we sent out letters to them and we actually went and visited some of the bigger businesses. We did not put it on our website, we just did it individually with the businesses. We didn't think we had to because we knew exactly how much we needed to raise and we did that, so we did not go out to individuals.

Mr. Robinson stated, I'm not being critical at all, I think it's great that you guys did it. You probably could have raised more money.

Chief McClay stated, well if we have another project that comes up, we will do that but we went to the businesses and the one individual that's on here, actually we went to the Bridge Commission and asked them for money and they denied us but he works for them and wrote us a check himself.

Ms. Hlahol asked, can you send us a list of all the businesses that donated?

Chief McClay replied, yes. After we're done, we're going to put it on our website to thank everybody.

Ms. Hlahol replied, okay, great.

Chief McClay stated, it will be advertised and when we do get the cameras, when they come in, I will try to do some kind of press release to make sure all these people are thanked in that press release.

Manager's Report – Scott Mitchell – I have two items that were noted on the agenda and just one general announcement. The first is, we received a request if the Borough would be interested in allowing musicians to perform at Williamson Park when it isn't otherwise in use. Of course, a schedule would have to be developed based on how many if any agree to participate in such a program. Basically, this would be mini concerts, it would be no cost to the Borough, it gives the musicians an opportunity to perform in front of a live audience, usually small groups. There would be no soliciting allowed, but the musicians would be allowed to have a receptacle for unsolicited donations.

Mr. Yager stated, I have a question, actually probably a couple. Is this something that the Borough would be sponsoring or is it another group is going to be heading it and the reason why I'm asking is from an insurance perspective?

Mr. Mitchell stated, if Council agrees to allow us to do it, the Borough would be making it available. These aren't the kind of people that are walking around with a certificate of insurance and business name, so it's more for casual pop-up performances for small groups. It's kind of a loosely organized idea.

Mr. Yager stated, a consortium of musicians just getting together and wanting to do something?

Mr. Mitchell replied, yeah. The idea was for 2020, but with the weather changing it might be too late, I'm not sure, so this could end up being something for 2021. It would be up to you guys to let me know what your comfort level was with that. The second item is First Friday Movie Nights. Lots of communities host these first Friday of the month events. First Friday Movie Nights at Williamson Park at dusk is

something where people would bring chairs or blankets to watch a movie. The Borough would pick the movie to keep it family friendly. This would run for six months out of the year May to October. It's a free community event. There is a vendor who actually brings and sets up the big oversized movie screen in the park and plays the movie once it gets dark. The annual cost for this is about \$7,000 to \$8,000 which would be paid of course from the recreation fund and this is something that we wouldn't be able to get started until Spring of 2021, this again was a suggestion from the community I'm bringing to your attention. Is there any question or concern or discussion like from Mr. Bowers about this? He's already aiming his microphone so that usually means –

Ms. Hlahol asked, do we have money in the fund?

Mr. Bowers stated, it's for next year, so you would have to budget for it.

Mr. Mitchell stated, this would be for 2021, yes.

Mr. Bowers stated, my only comment, I think it's a great idea, I just know that anytime I'm at the park at sundown the mosquitoes love to come out.

Mr. Mitchell stated, well we're right along the river that's kind of an occupational hazard when you're right along the river in the summer months but you buy a can of off spray.

Mr. Bowers stated, I like the idea.

Ms. Sherlock asked, who's providing the movies, because there's a big trademark issue and there are a couple communities that actually had to pay back money when they used movies that were not allowed to use.

Mr. Mitchell stated, you are correct. We would have to get a license that would authorize us to display these movies to the public and we would be barred from charging any admission or any other kind of fee or even soliciting donation, and that

would allow us to publicly display the movie. They would provide us with a menu of movies to choose from and like I said the Borough would select the movie so that we know it's family-friendly content.

Mr. Parker asked, could we offset the cost by selling cans of off?

Mr. Mitchell stated, yes, you probably could get away with that and you might make a cool mint doing that.

Mr. Parker stated, I like the idea.

Mr. Bowers asked, can we have vendors there selling popcorn or ice cream?

Mr. Mitchell replied, I believe you can have vendors there selling popcorn and ice cream as long as you're not charging or soliciting donations for the viewing of the movie. That would interfere with the terms and conditions of the public license. Last but not least, this wasn't on the agenda just to bring to your attention that starting Wednesday the contractor will start construction on curb ramps at nine locations within the Borough under the grant for the ADA Curb Ramp Project.

Mr. Bowers asked, can we publish that list of where they're going to be at so that residents have an idea?

Mr. Mitchell replied, we sure can.

Mr. Parker stated, I don't know if he asked, would we be able to put it on the website to kind of let the public know?

Mr. Mitchell replied, we sure can. If you want the inside scoop tonight, the nine locations are Philadelphia Avenue at Washington, Barclay & Francis, Barclay & Althea and Grandview & Melvin. Philadelphia & Washington we're doing one. Barclay & Francis, we're doing two. Barclay & Althea we're doing two and Grandview & Melvin we're doing four.

I have one other thing but I was going to save it until we get to that action item on the agenda. My office received a note from a resident who was willing to serve as the alternate member on the Zoning Hearing Board. We usually get a resume or a letter, but this was just a short two sentence note unfortunately, it didn't include a phone number or email, but we were able to get in contact today and the person is willing to serve but I don't really have a detailed letter or a resume to share with you, but if you want I can wait and we can talk about this when we get to that action item on the agenda.

That's all I have unless you have any questions for me.

COMMITTEE REPORTS

Mr. Yager stated, Vacant Properties Committee met on the 15th of September, we discussed the seven residential properties that are a part of the mitigation process for blighted properties. As of now we have three of those that are fully mitigated and no longer in the process and no action is being taken. There are two that have active permits and the process is paused to ensure that those permits translate into work on those properties translate into rehabilitating them and then we have two that are in various states of being pursued. Also, we voted and approved to initiate that process for one additional property that was at the recommendation of our Zoning Officer, the board did approve that and the notifications are being sent and the information is being pulled together to prove the case of it being blighted and vacant. Just real quick I want to thank Jeff from the Bucks County Redevelopment Authority and Steve Ware our Zoning Officer from Keystone Municipal Services. Those two guys do the bulk of this work and we're starting to really see progress after a little bit of time, because it does take time for these things to take effect. We're starting to see some really good things from this program I want to thank both of them for the work they've been doing on it along with our Borough Manager. Thank you.

ACTION ITEMS

Motion 9A - Motion to acknowledge receipt of the annual Minimum Municipal Obligation Forms (MMO) for both the Police (Uniformed) and Non-Uniformed Pension Plans to be submitted to the Pennsylvania Municipal Retirement System by October 5, 2020 and authorizing the Borough Manager to execute the necessary documents.

Motion made by Mr. Bowers.

Motion seconded by Ms. Sherlock.

Discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 9B - Motion to approve a millage payment in the amount of \$88,000* to the Morrisville Fire Company, as per the 2020 Fire Fund Budget. (*contingent upon receipt of payment in full for gas and diesel invoices.)

Motion made by Mr. Bowers.

Motion seconded by Ms. Hlahol.

No 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 approve a millage payment in the amount of \$48,000* to Capital Health, as per the 2020 EMS Fund Budget. (*Contingent upon receipt of payment in full for gas and diesel invoices.)

Motion made by Ms. Hlahol.

Motion seconded by Mr. Bowers.

No discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 9D - Motion to award the annual 2020-2021 Consortium Salt Bid (as bid through the Bucks County Consortium) to: Morton Salt, Inc. per their bid price of \$47.75 price per ton (delivered) and \$47.00 price per ton (undelivered); contract to run to September 30, 2021.

Motion made by Ms. Hlahol.

Motion seconded by Ms. Sherlock.

No discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 9E - Motion to authorize advertising adoption of the Proposed 2021 Budget at the Borough Council meeting on October 19, 2020, Public Hearing on the 2021 Budget to be held on November 16th at 6:00 pm and adoption of the Final 2021 Budget on December 21, 2020.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Bowers.

Discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 9F - Motion to adopt Police Directive 124 Social Media and Social Networking.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Bowers.

No discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 9G - Motion to adopt Police Directive 221 – Pursuits/Operation of Police Vehicles.

Motion made by Mr. Bowers.

Motion seconded by Ms. Sherlock.

Discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 9H - Motion to approve the Annual Winterfest Parade using the previously approved parade route. The Winterfest Parade to be held on Saturday, December 4th, 2021 and to be sponsored by Hot Rides, LLC., of Morrisville.

Motion made by Ms. Hlahol.

Motion seconded by Mr. Bowers.

Discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 9I - Motion to authorize the Borough Manager to execute the Pennsylvania Department of Transportation Winter Traffic Services – 5 year Agreement (Agreement No. 3900039344) with the Borough.

Motion made by Mr. Bowers.

Motion seconded by Ms. Sherlock.

Discussion took place regarding the motion.

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

Motion carried by voice vote 7-0.

Motion 9J - Motion to authorize advertising an amendment to the Zoning Ordinance to change the definition of “FAMILY” contained in Section 465-6.

Motion made by Mr. Bowers.

Motion seconded by Mr. Yager.

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 9K - Motion to appoint an Alternate Member to the Zoning Hearing Board.

Motion to nominate Daniel Morganti made by Mr. Paul.

Discussion took place regarding the motion.

Motion to table the motion made by Ms. Hlhaol.

Seconded by Mr. Yager.

Discussion continued regarding the motion.

Mr. Parker stated, roll call please.

Motion to table failed by roll call vote 4-3. (nay votes being Mr. Bowers, Mr. Parker, Mr. Paul, Ms. Sherlock)

Motion 9K - Motion to appoint **Daniel Morganti** as an Alternate Member of the Zoning Hearing Board whose term will expire on 2/17/2021.

Motion to appoint Daniel Morganti made by Ms. Sherlock.

Seconded by Mr. Paul.

Discussion took place regarding the motion.

Mr. Parker stated, roll call please.

Motion failed by roll call vote 4-3. (nay votes being Mr. Bowers, Ms. Hlahol, Mr. Robinson and Mr. Yager)

Motion 9L - Motion to authorize Conflict Counsel, serving as Borough Solicitor, to intervene on the Borough's behalf in opposition to the Zoning Hearing Board Application of Jean Augustin, 874 North Pennsylvania Avenue, Morrisville, PA 19067 (BCTMP 24-007-016), scheduled to be heard Monday, October 5, 2020 at 7:00 pm.

Motion made by Mr. Yager.

Motion seconded by Mr. Bowers.

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

There was no unfinished business to discuss this evening.

NEW BUSINESS

There was no new business to discuss this evening.

BOROUGH OFFICIALS

Ms. Hlahol stated, Scott Mitchell and I – this is for the residents in the First Ward, we had a meeting with the Falls Supervisors and it went very well in terms of they're going to work with us to try to detour the trucks away from Pennsylvania Avenue in the First Ward and have them go down toward Tyburn, they're also going to be working with PennDOT on our behalf in order to try and get the trucks to stay off of South Pennsylvania Avenue so everything there seems to be progressing nicely, right Scott.

Mr. Mitchell stated, if I could just clarify the meeting was with a developer proposing a development project in Falls Township, we didn't meet with the Falls Township Supervisors.

Ms. Hlahol asked, wasn't that one guy from Falls? I thought he was. Oh, my bad, I thought that's how he identified himself. So hopefully everything will progress nicely there so we're very excited about that.

Mr. Mitchell stated, I think the latest update to that development project, there was a letter included in your delivery last week, so you know the current status of that.

Mr. Robinson stated, I received a letter in the mail today and my neighbor received one, so I guess it was targeted to residents in the Second Ward near me. In addition to the Party House, the Zoning Board is also going to be looking at the Curtin Heefner Building on October 5th, there's a plan for them to turn them into garden apartments, so that will be on the menu for October 5th in front of the Zoning Board. Scott, do you know anything about this or not?

Mr. Mitchell stated, just what's available from what was submitted to the Zoning Hearing Board which was available in your packets last week. I believe we have plans and drawings if you want to make an appointment to come in and look at them, but they're preliminary at this point.

ADJOURNMENT

Motion to adjourn made by Ms. Hlahol.

Seconded by Mr. Yager.

Meeting adjourned 9:04 p.m.

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