



The Morrisville Borough Council met on Monday, June 21, 2021 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 please stand for a moment of silence and the Pledge of Allegiance.

Micah Heitz took roll call.

**Those in Attendance:**

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

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

Not in Attendance: Dave Rivella, Mayor  
Duane Nicol

Mr. Parker stated, I just want to let the public know that prior to this meeting we had an executive session for personnel matters. We also had an executive session two weeks ago for interviews which I'll get into in a moment.

**SPECIAL PRESENTATIONS**

Mr. Parker read a proclamation designating June 2021 as LBGTQ Pride Month.

Mr. Parker asked, can I have a motion for the proclamation?

**Motion** made by Ms. Hlahol.

Motion seconded by Mr. Robinson.

**HEARING OF THE PUBLIC**

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

*No discussion took place regarding the motion.*

Mr. Parker stated, roll call.

**Motion** carried by roll call vote 7-0.

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Mr. Parker stated, as I just said before we had an executive session two weeks ago doing interviews there's been I believe two rounds of interviews and then some initial review of resumes and stuff like that but I'd like to announce to the public that we have a tentative agreement for an individual for the position of Borough Manager. As soon as we have a contract and a signed contract we'll provide more information.

Ms. Hlahol asked, we're looking for August right for her -- that person to start?

Mr. Parker replied, yes.

Ms. Hlahol stated, just letting the public know.

Mr. Parker stated, she needed 30 days for her current employer.

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**HEARING OF THE PUBLIC**

1. Jane Burger – *90 W. Maple Avenue*

She stated, exciting news, I know it's been a difficult time but to hear that we will have a manager very soon is really great news because I know you all are anxious for that. A couple of things there's a motion to approve the increase in the TAN fund which is great after all those years it probably needs more money. I'm just wondering where those additional funds were coming from because the original TAN was set up only with the proceeds from the sale of the Annex Building which houses the County District Court so I was just wondering -- I'm glad you got the money just curious to where it was coming from. I'm also here wearing my hat as secretary for the Morrisville Business Association and as I mentioned briefly last month we are planning to bring the car show back to Bridge Street in September and with all the fluff and all the things that we are dealing with I think the motion was overlooked for tonight's agenda. I did provide the Council President with a copy of a motion, thanks for your consideration and also from the minutes from 2019 and 2020 I think each time that's come up it's been added at last minute after the other agenda was printed out so I would look forward to the Borough's support of this event. You're not a co-sponsor, you're not financially committed as you were not before, the MBA will assume all costs but because it is involving a closure of the state highway and Morrisville it is important to know that you support us during this event so thank you very much.

Ms. Sherlock asked, may I ask what the date is?

Ms. Burger replied, certainly, September 18<sup>th</sup> which is Saturday and the rain date is September 19<sup>th</sup>.

Ms. Sherlock stated, which is the date of the Jazz Fest.

Ms. Burger asked, what time is your Jazz Festival because we're in the morning?

Ms. Sherlock replied, it'll be the evening.

Ms. Burger stated, let's call it cross marketing.

Ms. Sherlock stated, I was going to make an announcement at the end but I'd like to say it now since you're here I'd like to say thank you to the Business Association for providing the beautiful bouquet down at the Robert Morris Plaza just in time for the Memorial Day Parade.

Ms. Burger replied, thank you. We're hoping to do something for fall and then again for the December holiday, something that we can do to help. I appreciate your support and acknowledgement, thank you very much Mrs. Sherlock. The car show is from 9 to 1:30 but the hours are from 8 to 9 because they need an hour for everybody to come in and get registered so we figure they'll come see the car show and they'll segway over to the park for the jazz concert. We usually have a table down there for non-profits or business organization to put anything out I'll send more information on that but we'll certainly be glad to have something down on Bridge Street about the Jazz Festival.

Ms. Sherlock replied, that would be great, thank you.

Mr. Parker stated, we're going to add that as item 9I, so if anybody wants to make a comment about that during public comment.

2. Joshua Kuntz – 40 Union Street Apt. 3

He stated, I haven't been around in a couple of months just because it's been a couple tough months. First off I kind of tangent from what I actually want to speak about I was on the path in dividing the river from the park this morning and there's like a turtle up there and it was like

hilarious I was seeing several runners they were like how did a turtle get up here and so I was like following it around making sure it was safe and stuff and apparently there's like a part of the rockway that's a little bit smoothed over and it found a way to crawl up from the river, very impressive turtle so good for the little guy. Although the canal is obviously like full of lovely turtles especially further north and stuff. It is weird to think that they got that high, my girlfriend ran to go get a box because she was certain that it wasn't supposed to be there and I was like okay I'll stay by and just watch it crawl around and find its way back down which is great. The second part I'd like to kind of talk about more seriously which is both I've spoken to the Council before via zoom or whatever the medium was I believe it was zoom and there is a -- obviously I have spoken on behalf of concerns for the park. I've been a part of and discussing things with the Save Williamson Park movement. I know that there is a lot of tension around the topic and I've since even in a discussion I've called you out Ted once and I wanted to actually formally apologize about that. I can understand that it's a very stressful job or position that any of us are in and one of the biggest things in our society right now that most of us are suffering from in the information age is how to counter the information age and the different things that it has impact on all of us socially, emotionally and intellectually. Everybody's familiar now with the ideas of social bubbles with a higher partisanship within political discourse and that's not even to say that people actually disagree with each other, just that we aren't communicating effectively anymore and I think I mean this might just be my perspective but I do think that it is because there's like no such thing as a community on a low scale we hear things about wars on the nation state we hear things about large-scale movements and local politics which is about people knowing each other it's supposed to be about local communities has been kind of lost in the volume of other things being said and so part of the reason why I want to apologize is because though that is also the rhetoric I am hearing that primes my mind as well and I would imagine that all of us get into that and we're no longer paying

attention to the fact that we live together and we're quite close and that we can be actually quite personal about these things and so I might be coming at this from a perspective of like we're losing our environment global warming is happening and here's my time, here's my space to try to do whatever little I can and to anybody else who's like listen I'm just trying to see how things are panning out there's a business guy who's looking to do this thing and to me I'm like red flag but to them it's like this guy looks like he's crazy he's like why is this being dealt with like a red flag this isn't the army coming in this isn't like trying to do something to spite these people or whatever and so the emotionality of all of us are obviously primed by almost different worlds different contexts because we're all isolated individualized due to the miracle of capitalism and consumerism of America not to like tip my hand a little bit but like we've all self-isolated because we can we have our own tv shows we have our own things and tastes that we like but what that does is it makes us in our own bubbles and it makes it harder and it makes every individual have to put more work into reaching out to one another and I wanted to try to emphasize on the fact that I don't view myself as anybody's enemy I am trying to get rid of any presumptions or any of the first impressions maybe people have had about me that might then make it harder for them to hear where I am coming from in a lot of these things and how much I do care about all these different things right that they won't be seeing me as an enemy anymore but just another person of the community that is trying to vocalize things as a friend because ultimately I do want everybody like that's the utopia I want to be everybody's friend. I'm not like trying to be a liar I'm not trying to be an authentic I'm not a grifter like these things are to me philosophically unappealing, they are not the wise way and but you know the wise way is more work. I just wanted to restate that I would like to continue obviously getting to know everybody here and start to try to reforge possibly a better and promote a better dialogue about this kind of touchy and sensitive topic around Williamson Park because I know that even though it's a little bit in the future and nothing is sealed now we as humans like to look into the

future and so obviously we're going to be trying to come at it with our compassion and our wisdom when we can and so I hope that intention and spirit of trying to open dialogue to be more communal and compassionate with everybody is heard and felt and thank you for my time.

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

### MINUTES

**Motion 6A** - Motion to approve the Borough Council Regular Meeting Minutes of April 19, 2021.

**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.

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### 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.

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**REPORTS**

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

**Police Chief's Report – Chief George McClay** –He stated, a few subjects this month. Right after our last meeting we had a shooting down on Harrison Street that was more of a boyfriend girlfriend shooting so everybody was all connected. We made that apprehension very quickly of the male, he is still in jail and he is in jail on no bail. There was another bad crime that people have seen that we had a rape that was also a known doer there was no danger to the public whatsoever. Our lounges, I hate to say it have been quiet, they have been quiet the last few weekends we've been paying a lot of attention to them. A new crime that's out there are catalytic converters not a whole lot we can do about it right now but it is something that is spread nationwide but in the last week we've had two older model big Ford vans stolen out of driveways driven around the corner and they cut the catalytic converter off there, the catalytic converter is worth more than most of these vehicles were so we are keeping an eye we've worked with Falls and Tullytown, we've locked up some people but it's just a big business right now. Our crime rate is still down 37% from last year. I'm still very happy about that. Last, I appreciate that you extended that 60-hour rule to be able to hire part-timers more it's going to be a long hot summer and I need all the help I can get, so thank you.

Ms. Hlahol asked, Chief can I ask a couple questions? The 4<sup>th</sup> of July is coming up can you remind the public what the firework policy is and what they could face if the police apprehend them shooting them off?

Chief McClay stated, well it is a state law. I have sent emails to our Council President, he knows about the outrage of a lot of the citizens. I went out and saw some of the citizens but the state law is that you have to be more than 150 yards away from any building which is very hard in our Borough to do that. I will put the law up on our Facebook page.

Ms. Hlahol asked, and if a resident is caught shooting fireworks within those 150 yards what is the ramifications?

Chief McClay replied, it's a fine through our local courts.

Ms. Hlahol asked, okay do you know what that amount is? I'm just trying to warn residents.

Chief McClay replied, it's substantial, it's \$300, \$400 maybe \$500.

Ms. Hlahol stated, okay. Because there's a lot being done like the fireworks being shot off on Hill Street down in the Manor so a lot of residents have been complaining to me so I just want to warn –

Chief McClay stated, the problem is that we'll get a phone call through 911 and it will say fireworks in the area wherever but we get there and they're really not there so anytime someone calls 911, I would like them to say I live at such and such please come over to my house and I'll point out to you where they are. We get the general vicinity and we're searching, by the time we search and find they're usually gone so we're all about if we catch them we're fining them.

Ms. Hlahol stated, okay and the hotel I know a couple of months ago I had told you that the guy from that hotel Raj he had such a problem when the firework store is in operation for the 4<sup>th</sup>, were you able to get in touch with him or do you have any –

Chief McClay stated, he's never spoken to me.

Ms. Hlahol asked, do we have something in place to monitor the excess traffic in that fireworks store?

Chief McClay stated, we've never had this has never been discussed with either owners of those two buildings, so if there's an issue they need to contact us and we'll work it out but like I said we haven't heard from them and there hasn't been any – I

was over there today on my bike there were maybe 10 cars in the Quality Inn parking lot and 10 cars in the other lot. I know there's a couple days that it does get crowded but he's got to call me and talk to me.

Ms. Sherlock stated, Mr. Parker, if the Chief could wait just one moment I know the state law is 150 feet but this is for the attorney, are we able to amend our local ordinance to make it 100 feet.

Mr. Paul stated, it's got to be stricter probably.

Mr. Flager stated, the law is 150 feet and that's the state law so you're not going to be able to -- the thing is you can make it more strict.

Ms. Sherlock stated, I want to make it stricter.

Mr. Paul stated, you're making it more lenient if you're saying 100.

Ms. Sherlock stated, you're right, I'm sorry, the wrong direction.

Mr. Flager stated, I'm just saying it's hard to shoot anything 150 feet in this Borough.

Ms. Sherlock stated, there's only a couple places.

Mr. Flager stated, the Chief is correct, the problem is and we've had this in all the townships and all the municipalities, all the boroughs, they are gone by the time the police get there and all they have is they find a bunch of burnt fireworks.

Ms. Sherlock stated, which leads me to the second thing I was going to mention to the public that's out there some of them are afraid as you probably said they just said it's in the area or they don't exactly know. I'm encouraging people if you know that your neighbor two doors down is doing this please call. I mean to pinpoint it better.

Chief McClay stated, yes I think a lot of people just don't know where it's coming from and what the quality of these fireworks that are out there now you can set something off two blocks away and it feels like it's in your living room so it's a tough thing to point out and it's for the people that have dogs and things like that it's a bad night and they're setting them off at midnight.

M. Sherlock stated, they were off midnight last night and people said that they were medicating their dogs and it's terrible.

Ms. Hlahol stated, and also the potential for setting a house on fire in your neighborhood right.

Ms. Sherlock stated, I'm imploring the public to please help the police identify where they exactly are.

Chief McClay stated, just be a good neighbor and don't do it.

Mr. Parker stated, yeah.

Ms. Sherlock replied, well that's even better. We haven't even gotten to the 4<sup>th</sup> of July yet.

Chief McClay replied, no, we haven't. All right, thank you.

**Interim Manager's Report – Micah Heitz** – There was no report this evening.

### **COMMITTEE REPORTS**

Mr. Paul stated, I would like to give an update on the Little League Committee that I am chairing along with Mike Yager and Duane Nicol. On June 2<sup>nd</sup> the three of us plus Ted Parker and Micah Heitz met with Jim O'Brien the President of Morrisville Little League, we went over the old agreement that expired two years ago and talked about

the terms for renewal we exchanged some ideas we're not in complete agreement but I think at this point the committee working with Ted and Micah will make a counteroffer to Little League and once we reach a consensus with Mr. O'Brien and his people over there we'll submit a final agreement to Council for approval hopefully by the next meeting.

Mr. Yager stated, just to clarify I don't believe that it ran out two years ago. I believe we had a three-year contract MOU that ends this year and I could be wrong.

Mr. Paul stated, fair enough. Yeah it at least lasted through last year but in any case it's outdated and we need to renew it anyway so we're going to work out something that will be automatically renewable probably in the future so we don't have this problem again and it will be subject to certain contingencies such as if the development project goes forward and things like that but in any case we'll give you more detail once we work out the terms with Little League and we obviously won't move forward without formal approval from the Council.

Mr. Parker asked, does anyone else on Council have a committee report?

Mr. Robinson stated, real quick Ted, the Civil Service Committee we met two weeks ago and we're starting the process of looking into hiring two more police officers. The consortium was done a month ago and we have a list and so it's just a process if anyone knows anyone that's interested that recently took the consortium have them apply at Borough Hall. The deadline to apply is June 30<sup>th</sup> so we have another week and a half to apply for one of those positions.

Mr. Yager asked, Scott will there be meeting minutes distributed to Council?

Mr. Robinson replied, yes there will be. We have to get the minutes put together one of the people on the committee Barb Bower she's currently on vacation right now until the 27<sup>th</sup> so we we're kind of stuck right now with that vacation but we will have everything together for the July meeting.

Mr. Yager replied, great, thank you.

Mr. Robinson stated, you're welcome.

Mr. Parker asked, anyone else? All right, we're going to move on the action items.

**ACTION ITEMS**

**Motion 9A** - Motion to approve re-submitting the application in the amount of \$454,823 for the Automated Red Light Enforcement program grant through PennDOT for Pennsylvania Avenue and Philadelphia Avenue intersection. (Up front cost to re-apply \$2,500 - \$3,000).

**Motion** made by Ms. Hlahol.

Motion seconded by Mr. Yager.

*Discussion took place regarding the motion.*

Mr. Parker stated, roll call please.

**Motion** carried by roll call vote 7-0.

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**Motion 9B** - Motion to approve re-submitting the application in the amount of \$200,000 for the Automated Red Light Enforcement program grant through PennDOT for upgrades to existing traffic signals with battery backups, generator plugs and pre-emption. (Up front cost to re-apply \$2,500 - \$3,000).

**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.

**Motion 9C** - Motion to award the contract for the Melvin Avenue Basin Retrofit project to G&B Construction in the amount of \$208,748.00, subject to the availability of grant funding.

**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.

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**Motion 9D** - Motion to approve an increase in the TAN Fund in the 2021 Budget from \$398,392 to \$462,000.

**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.

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**Motion 9E** - Motion approving the resolution to submit as part of the application for the DCED Greenways, Trails and Recreations Program Grant in the amount of \$250,000 to be used for the Manor Park Playground improvements project and to authorize the Borough Council President and Interim Borough Manager to execute all necessary documents for the grant.

**Motion** made by Ms. Hlahol.

Motion seconded by Mr. Yager.

*Discussion took place regarding the motion.*

Mr. Parker stated, roll call please.

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**Motion** carried by roll call vote 7-0.

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**Motion 9F** - Motion approving the resolution to submit as part of the application for the DCED Greenways, Trails and Recreations Program Grant in the amount of \$250,000 to be used for Patriots Park at Historic Summerseat and to authorize the Borough Council President and Interim Borough Manager to execute all necessary documents for the grant.

**Motion** made by Ms. Hlahol.

Motion seconded by Mr. Bowers.

*No discussion took place regarding the motion.*

Mr. Parker stated, roll call please.

**Motion** carried by roll call vote 7-0.

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**Motion 9G** - Motion to approve a temporary waiver of the 60-hour limit for PT police officers through August 31, 2021.

**Motion** made by Ms. Sherlock.

Motion seconded by Mr. Paul.

*Discussion took place regarding the motion.*

Mr. Parker stated, roll call please.

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

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**Motion 9H** - Motion to authorize the Borough Manager to re-advertise the position of Code Enforcement Officer.

Motion seconded by Ms. Sherlock.

Motion seconded by Mr. Paul.

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*Discussion took place regarding the motion.*

Mr. Parker stated, roll call please.

**Motion** carried by roll call vote 5-2. (nay votes being Mr. Bowers and Mr. Yager)

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**Motion 9I** - Motion to approve the Morrisville Business Association request to hold a car show on Saturday, September 18th, 2021 rain date being Sunday, September 19th, 2021 from 8:00 a.m. to 1:30 p.m. on East Bridge Street between Delmorr and Pennsylvania Avenues and to authorize the Borough Administration to submit the permit paperwork to PennDOT. (there's a note set up and registration is from 8:00 to 9:00 car show starts at 9:00 a.m.)

**Motion** made by Ms. Sherlock.

Motion seconded by Mr. Bowers.

*Discussion took place regarding the motion.*

Mr. Parker stated, all in favor.

**Motion** carried by voice vote 7-0.

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**Motion 9J** - Motion to appoint Environmental Advisory Council (2 positions) (1 position has 7 remaining months of 3 year term; expires 1/22/22) (1 position with 18 remaining months of 3 year term; expires 12/19/2022) .

**Motion to nominate Elaine Hanley** for the position that expires 12/19/22 made by Ms. Sherlock.

*Discussion took place regarding the motion.*

Mr. Parker stated, hearing no other nominations, can we have a roll call to appoint Ms. Hanley to the Environmental Advisory for the position with 18 months remaining expiring on 12/19/22?

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

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Mr. Parker stated, we'll continue to advertise and hopefully somebody will submit a letter of interest to the other position.

**OTHER BUSINESS**

Mr. Parker stated, we're going to move on to other business, Zoning Ordinance discussion.

Mr. Flager stated, without objection, we sent around a proposed ordinance and without objection we'll advertise it and you can consider it at next months meeting. The reason we want to bring it up this month is because anyone who would want to put a hookah lounge in is now or such use would now be on notice that there's a pending ordinance doctrine in Pennsylvania and so this would apply, so they couldn't sneak in so to speak before you could pass the ordinance next month if that's your desire.

Ms. Sherlock asked, but the two existing are grandfathered, is that correct?

Mr. Flager replied, yes but they're obviously even working with the police and with zoning and everybody else the management here to prosecute that we've been in court with them a number of times we've gone out to Doylestown, we're going to do everything we can to bring them into compliance or they can choose to leave and go somewhere else.

Ms. Hlahol asked, so in this ordinance also it talks about nightclubs so we do have two establishments in town that are not per se nightclubs but are acting like nightclubs so would this ordinance pertain to them as well or are they're grandfathered in because they don't really have a nightclub.

Mr. Flager stated, we will attempt to use this ordinance as well and also they may try to claim that they're pre-existing but this will also prevent anything new from happening in the Borough.

Mr. Parker asked, will it address BYOB clubs?

Mr. Flager replied, yes.

Ms. Sherlock asked, BYOB clubs or BYOB restaurants?

Mr. Parker replied, no, nightclubs.

Ms. Sherlock stated, places that wouldn't necessarily be serving food and meals.

Mr. Parker replied, right.

Mr. Yager stated, this is point of order. Do we have a motion that we're in discussion on or where are we?

Mr. Flager replied, no discussing, we're just discussing it's just discussion. I said without objection we will advertise this for your consideration next month.

Mr. Yager stated, if I may since we're in discussion. Mr. Flager thank you for your hard work on this I read through it I get it actually tightens some things up and I appreciate it but my question is more for the Council, why do we have a policy committee? Stuff like this should go through the policy committee, the policy committee should be making recommendations to Council and then Council should be sending it before we spend a dime on attorney fees Council should be looking at something like this and having input before we just decided to take action like this I just don't understand why we even have a policy committee if we're not going to use it and use it properly to make sure that Council's in the loop on changes. I'm okay with the change I'm not okay with the process.

Ms. Sherlock stated, Mr. Parker, Mike most times I would agree with your statement but in this particular one I'm not sure where a policy committee would start because of the newness and the nuances with this particular problem but that does bring me to something I want to discuss later about our ordinance committee but you're right it's much better for the policy committee to go through things first before we spend any money and then just have them review.

Mr. Yager stated, even if it's just to say this is an issue that we think needs to be addressed and we'd like to have it sent to an attorney for review or recommendation then Council looks at it and says yes this should go for recommendation we accept that recommendation that should go for review or additional action we're just jumping over all of that and just sending it to the attorneys which again I understand that this is a little bit of a heightened issue but we have to react within the way we're supposed to operate and I just don't see that we're following the process that should be followed it's not just for this one thing, it's happened many many times with this Council. The committees aren't functioning accurately or properly in most cases and we're just jumping past Council committees to just act and that's not how this is supposed to work we're supposed to have time to deliberate and not just jump right in to it however, like I said, it's not that I'm opposed to this legislation that's not the point, the point is as legislators we're just kind of telling the solicitor to do our job and do it for us rather than us as a body or at least as a subcommittee making a decision to move forward, we're just handing it to the administration and saying figure it out all right that's not how it works.

Mr. Parker stated, under normal circumstances I would agree with you but with COVID and not having an actual firm date of when meetings could be held again and zoom being an issue and the sudden appearance of clubs that seem to be popping up like warts on a frog, the best cause of action was to let the professional handle this and get it done quickly which is exactly what they did and by getting this advertised quicker and now rather than a month, two, three, four while it's discussed and discussed and discussed we have an ordinance here that will be advertised and will basically put the brakes on any potential hookah lounge BYOB/nightclub sometimes the solicitor is needed. The Council committees are advisory committees they don't

make policy they don't make ordinances they work through them with the solicitor. I don't expect anyone on Council to be making up new policies or ordinances on their own without the direct interaction with the solicitor and whoever that solicitor may be at that particular time.

Mr. Yager stated, I never recommended that I said that the committee should meet discuss it and then recommend to Council to take action as opposed to just somebody arbitrarily deciding we're going to take action. That's how the process should work to make sure that everybody's on board with it as opposed to and again it's not about the legislation it's about the process you're making an excuse based on –

Mr. Parker stated, I'm not making an excuse and don't try to push this back as that to get your point across.

Mr. Yager stated, it's easier for you. Easier doesn't make it right.

Mr. Parker replied, no it's not.

Mr. Yager stated, easier and faster doesn't make it right. That is all I'm saying.

Mr. Parker stated, you made your point that you wanted to make but it just doesn't jive with what's going on. We have a solicitor spending tens of thousands of dollars –

Mr. Yager stated, this thing could have blown up –

Mr. Parker stated, enough is enough. Enough is enough. Enough is enough. Enough is enough. Stop Mr. Yager, control yourself.

Mr. Yager stated, stop doing that please.

Mr. Parker stated, the solicitor would have to have done it anyway because there is nobody on this Council who is authorized to make a new ordinance on their own.

Ms. Sherlock asked, point of order, do we need to call for a recess?

Mr. Parker stated, we're going to make a motion.

**Motion 9K** – Motion to authorize the solicitor to advertise the zoning ordinance amendment to regulate Hookah Bars/Lounges and After-Hours/Nightclubs.

**Motion** made by Ms. Hlahol.

Motion seconded by Mr. Parker.

### HEARING OF THE PUBLIC REOPENED

1. Jane Burger – *90 W. Maple Avenue*

She stated, ordinances are near and dear to my heart as Mrs. Sherlock knows. I understand process Mr. Yager absolutely I am actually more comfortable with the fact that rather than just having a discussion you're doing a formal motion to authorize the solicitor to take this because with zoning you need to have a public hearing it has to go to our planning commission so I think this makes it more of a formal process to do and anybody who lives near the hookah lounge knows that sometimes you need to have expediency. Certainly moving forward I do agree if you have committees they do need to be active. Thank you.

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

*Discussion took place regarding the motion.*

Mr. Parker stated, roll call please.

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

**BOROUGH OFFICIALS**

Mr. Sherlock stated, the library opened its doors on June 1<sup>st</sup>, they're still suggesting masks at this time and they still have curbside service if you need it. They also have a pretty aggressive summer reading program that actually began today and if you go to the website you'll see a list of the summer programs, all of them are taking place in the park. We have the Wildlife Encounters, Ryan the Bug Man if you're a little child I guess all these are good, Carnival of animals so all bugs and animals will be down there so you can just check that on either the website of the Borough or the library's website. I'd like to make mention that we had recently received a note from Karen Kane who is resigning from the EDC, so that will be I guess we'll put that up on our Facebook and so forth, thank you to her time and effort. Of course we had another one of the vacancies for the EAC was Stephen Fowler he recently passed away so we appreciate the time he spent, he was very passionate about that. I think it's kind of late but I did go to a webinar with the TMA and I mentioned to Ted that I would just give a brief of what the webinar was but I think we can wait until next month on that. Also just two things about the hazardous waste collection which we are a part of, the Borough and many municipalities are part of we pay money every year. The next one will be locally, it will be August 14<sup>th</sup> at the Tech school and there are restrictions of what you can and cannot put there but again that's a free event. We have free electronics recycling which happens Monday through Friday 7 a.m. to 2:30 p.m. there are quite a few things that they accept so please take advantage of that. Also I'd like to say I love our new railroad signs we had two instances where the train was coming with no flares on the ground and so I called the Borough and John Later got right on that and now we have actual railroad crossing signs at Delmorr and Pennsylvania Avenue. The Chief had sent something to us a while back and it's been sitting there for months now and it's Directive 225 as it relates to Police Impoundment Program and I'm just wondering, I had some questions I sent them to the Chief he answered them I'm just wondering can we put this on the agenda for next month or what do you think?

Mr. Parker replied, sure. Send me an email so I remember and cc Virginia so we can make sure it gets on the agenda.

Ms. Sherlock stated, I was contacted by Susan Taylor who will be the outgoing Director of the Friends of the Delaware Canal she's been trying to retire for a couple years but next year they're going to have the 40<sup>th</sup> Anniversary of the Canal Festival and I'd really like to see Morrisville be involved in it. We were a few years back we actually set up areas next to the theater we had tents and so forth and we actually wanted to possibly have some canoes launching from there but it's not happening until next year but we're on their list of who they'll contact when the events start to take place. We talked about roosters, I know Helen talked about it and Bob just talked about it, I've mentioned it there are regular calls. Helen looked it up and said she didn't see anything about roosters in our animal ordinance so I think we thought it was there, it's Ordinance #889 and it mentions actually potbelly pigs because that's really when we wrote it years ago because we had problems with people had 300 pound pigs in their backyard so I'd like to see that the ordinance committee maybe we could get together and consider adding roosters to that or amendment that roosters would not be allowed.

Ms. Hlahol stated, there's actually a bigger issue because there was an ordinance that roosters were not allowed in town and it disappeared so somebody in the Borough Hall or I don't know has to look up what happened to the old ordinances.

Ms. Sherlock stated, well when we got codified maybe it slipped.

Mr. Flager stated, I'm sorry we check them when we heard about the roosters just to see because we've had this issue in other municipalities and apparently they're not allowed.

Ms. Hlahol stated, we had an ordinance that it was –

Mr. Flager stated, you can't speak to that.

Ms. Hlahol stated, I know.

Mr. Flager stated, what we looked at didn't have it in there.

Ms. Hlahol stated, I understand.

Mr. Flager stated, your ordinance can easily be amended to eliminate that.

Ms. Hlahol stated, well let me ask you, so when we were codified and there were a lot of other ordinance in there that the Borough has passed throughout the years in order to make the town better they're just gone, is that is that correct?

Mr. Flager stated, obviously I wasn't involved in codifying. I can just say I don't know what the previous ordinance – I don't have it, we haven't really looked at that. We just heard the question we were concerned about it, we looked up the ordinance and it wasn't there and I didn't go into searching what the history was, we just assumed it wasn't there. I was a little surprised.

Ms. Hlahol stated, it was there until up to I think 2015. Virginia do you guys have copies of old ordinances like before it was wiped off the website?

Ms. Cyphers replied, yes we have every one that was ever done.

Ms. Hlahol stated, okay you know what, then I'll come down this week and I'll take a look at it.

Ms. Cyphers stated, Helen, if you don't mind, if you send an email if there are others that you want also it's easy, we can pull them they're all right here it's not a problem.

Ms. Hlahol replied, okay yeah I'll send you an email and tell you what day I'm coming so you're aware.

Ms. Cyphers stated, yes that way we would have them ready for you, it's not a problem.

Ms. Sherlock stated, well, while we're talking about roosters and again I would think that would be an amendment to the 889 which mentions animals in the Borough but it sort of talks about pets. Are we considering or willing to put a cap on how many chickens someone can have?

Mr. Parker stated, I think we should look at everything.

Ms. Sherlock stated, I mean we allow chickens and I think that they should be allowed but if it gets to a point where somebody has a dozen chickens I think that might be –

Mr. Parker stated, just like we would kind of frown upon 20 cats in one household.

Ms. Sherlock stated, well yeah I don't know how you get around that through.

Mr. Parker stated, I mean they're -- I don't know.

Mr. Flager stated, you can regulate livestock you have that authority as long as you're reasonable and whatever which you always are. You don't have a constitutional right to have 400 chickens in your backyard. That is not a protective right.

Ms. Sherlock stated, one more thing Mr. Parker. In January, February we received it was called a Model Alternative Energy Ordinance from the Bucks County Planning Commission and I was hoping that when the ordinance committee might get together and we talk about roosters that we can talk about alternative energy using their model which is really quite lengthy and it's very comprehensive but we can pluck some things from it possibly and actually that's all I have.

Mr. Parker asked, anyone else?

Ms. Hlahol stated, I just have something really quick. David's Distillery just opened up right there on Bridge Street where 21 Locks was going to be I don't know the name of that building does anybody know?

Ms. Sherlock stated, I don't know that it has a name.

Ms. Hlahol asked, what was it before?

Ms. Sherlock stated, it was liquid air.

Ms. Hlahol stated, Lehigh –

Mr. Parker stated, Lehigh Rubber.

Ms. Hlahol stated, yeah, Lehigh Rubber.

Mr. Robinson stated, Lehigh Rubber Works.

Ms. Hlahol stated, Lehigh Rubber Works, very nice people they made a fantastic dessert for us and I hope that people start going in there and partaking in our new businesses coming to town.

Ms. Sherlock stated, agreed, it almost looks like a museum in there right, doesn't it Helen?

Ms. Hlahol stated, it's very nice in there.

Ms. Sherlock stated, nicely done.

Ms. Hlahol stated, and the owners are extremely sweet.

Mr. Parker asked, anyone else?

Mr. Robinson stated, I have something real quick before we adjourn. Many people in Morrisville may have known him he was a lifelong friend of mine Steve Brooks who I grew up in town with he actually was a Morrisville Cop at one point and moved on. His father Mr. Brooks, Herb Brooks was a crossing guard for quite some time, anyone

in town that knows Mr. Brooks, he was just a really great guy, he passed away this past Saturday so please keep the Brooks family in your prayers.

Ms. Sherlock stated, thank you Scott for that. We actually gave him a commendation I believe in this Borough a number of years ago.

Mr. Robinson stated, yeah, he was really into the veterans I believe the service is an online streaming service. I believe it's tomorrow at 4:30 if you check J. Allen Hooper website so tomorrow at 4:30. Again, let's keep the family -- the son Steve is a great guy and his daughter-in-law Sue Brooks they're awesome people and prayers would help. Thank you.

Mr. Parker stated, thank you Scott, anyone else? Motion to adjourn.

**ADJOURNMENT**

**Motion** to adjourn, made by Ms. Hlahol.

Motion seconded by Ms. Sherlock.

Meeting adjourned at 9:09 p.m.