



**Executive Session:**

**Personnel** – Contract negotiation items and employee termination.

**Possible Litigation** – Code Office items.

The Morrisville Borough Council met on Monday, December 20, 2021 at 7:03 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 the Pledge of Allegiance.

Ted Parker asked for roll call.

**Those in Attendance:**

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

Borough Officials: Judith Danko, Borough Manager  
Scott Holbert, Solicitor  
Virginia Cyphers, Assist. Borough Secretary (via phone)

Not in Attendance: Dave Rivella, Mayor  
Micah Heitz, Finance Director

Mr. Parker stated, just for the public's knowledge after public comment we're going to recess real quickly for an executive session for personnel, contract negotiations items and an employee termination and then possible litigation, code office items.

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**SPECIAL PRESENTATIONS**

There were no special presentations this evening.

**HEARING OF THE PUBLIC**

1. Debbie Smith – *221 W. Maple Avenue*

She stated, I just want to acknowledge Mike Yager and Justin Bowers for your service to the Borough your tenure is coming to an end this month and I just want to thank you guys for everything that you have been working on through the last four years and you've managed to get done. We did some really good things when I was on Council with you guys and you managed to get some things that definitely benefited the Borough so I personally appreciate everything you did and your time so I wish you both well after Council and enjoy your freedom once you're off the Council and thank everyone for all your service that you do up there and have a wonderful holiday. Thank you.

2. Hussam Jallad – *45 Ridge Avenue*

He stated last meeting I was here and I spoke on the current state and the future of Muslims simply asking the question what kind of town do we want to be known for. I also suggested five steps we can do now that will not cost us anything, only requires our collective effort and dedicated time. I urge you to take the following establish a clear vision by Morrisville and for Morrisville we need to be creative and come up with the big ideas that inspire change this will require leadership, courage and taking initiative. Establish a qualified committee that seeks and invites other developers, investors to come up with different ideas for development within the town as such as issuing RFP'S. Third, establish and study for making Morrisville a stop on the New Jersey Transit Northeast Corridor line this will open up opportunities to develop around such stuff. This is in comparison with other towns along that line such as Brunswick and Hamilton just an FYI, I take New Jersey Transit and it does pick up family members from Morrisville or whoever works in -- so it's already functioning that way it's just not for everybody. Four, revisit our Zoning ordinance and bring it up to date in comparison to other towns, neighboring towns. For example, no there is no impervious

surface requirements, there are chicken rooster Ordinance, many outdated definitions, smoke shops ordinance. We keep reacting and I think we need to be proactive I do have a few examples of other towns specifically smoke shops and chicken ordinance that we can easily study and implement. Finally, to work together and to support our Borough Manager and the incoming Council members. There's a lot at stake here and I think the only way any of this can happen is to work together both as a town and as a community. I'm happy that I could dedicate my time and to work with you on this and also know there are many highly qualified residents of all ages that are willing to contribute and be part of this change just let me know and I'm happy to meet with any of you. Thank you.

3. Deborah Colgan – *120 W. Hendrickson Avenue*

She stated, I want to make Council and the public aware that the hearing for our lawsuit to save Williamson Park has been scheduled. The hearing will be Tuesday, February 1st 2022 at 10 a.m. at the county courthouse, 100 South Main Street, Doylestown, the Judge will be Gary Gilmore. We're asking interested members of the public to attend the hearing. The order states that any proceedings related relative to altering the purpose of the park are stayed pending the hearing so you guys can't do anything on the park. I am here to request that Council provide clarity on the action taken last month to expand the RDA Redevelopment Area this is a big issue and ensuring public understanding of what's going on is important. Regardless of where you stand on the Williamson Park issue your protection of proper public process is paramount, without it you what you do doesn't make any sense. Don't be surprised if people perceive it as being cagey. With the last expansion of the boundaries in December 2019 notices were published and a public hearing was held with a presentation by the RDA, the purpose of the expansion to target the Stockham Building was presented the public was allowed to ask questions and comment. At that meeting Mike Yager said this is not just a map. This is in stark contrast to last month's action which was presented as just a map there was no clear explanation why the requirements of the Pennsylvania Urban Redevelopment law or the URL do not retain this time. There was no explanation as to why the park parcels were included. Clearly the Select Morrisville proposal is impetus but no one will say it out loud. When a resident asked if her house is

included, she could not get a definitive answer from them. Also at the 2019 public hearing on the expanded RDA boundaries Jeff Darwick of the RDA reviewed the requirements of the URL explaining the seven conditions that are used to determine properties blighted and that only one of the conditions need to be evident but it is important to note that at that meeting he also stated and I quote “the act that requires that a majority of an area meet only one of the criteria to be declared a redevelopment area”, so why are the rules different this time both actions were an expansion of the RDA redevelopment area boundaries and acceptance of an RDA report. The report that accompanied this recent expansion showed only a small portion of the area with supposed blight. Why does the majority of the area have to be proven to have conditions of blight? Why wasn't a copy of the resolution that you approved not in the RDA report? These are among the legitimate questions that deserve a clear response, address the inconsistencies and provide a clear picture remember the idea of commercial development of Williamson Park is a complete about-face of decades and decades of community input and planning so of course we have questions. Thank you.

4. Debora Chmielecki – 853 *Highland Avenue*

She stated, just a few things I haven't been to the last few meetings so I'm not sure if I missed a lot of things but I just wanted to bring up I have a question, every time I drive by a smoke shop a new smoke shop is being built I mean now there's one being built it might be finished now right across the street from Smokin' Joe's near Cafe Antonio's it's like don't they see the big one that they have right across the street then there's one further up the road on West Trenton Avenue that has smoke here come buy your stuff here and we'll cash checks and everything that's like ridiculous then so there's about last time I was here there might have been 9 shops now there's 14 shops. So is there anything they could do about a moratorium on letting these in because it's reminding me more like when I was a kid driving down in Bristol it was very like all these porn shops all over well Morrisville is like all these smoke shops all over it's kind of gross. So anyway I think I would like to know how we go about that and trying to clean up the town that way. Also I'd like the Williamson Park stuff you were talking about because I have a friend that lives right across the street and we used to think that that was not able to be built on ever you know, open space. He said you told me it was open space when I

bought here well apparently it's not and he said now they told me it's a done deal already. Well I don't know is it a done deal that they're going to be putting in apartments and even instead of apartments I thought why don't they make someone have skin in the game and put in condos instead of apartments that could just turn into apartments like the other apartments that people think is Morrisville but it's Falls Township and where people get killed all the time they started out nice too, because I've lived here for about 60 years. Let's see that and then I just wanted to say whatever you said. Okay, I'm done all right. Thank you.

*There being no further public comment, President Ted Parker moved to the business portion of the agenda.*

Mr. Parker stated, we are going to do a recess for Executive Session and then we'll be back.

*Council took a recess for and Executive Session at 7:15 p.m.*

*Council resumed the meeting at 8:14 p.m.*

### MINUTES

**Motion 5A** - Motion to approve the Borough Council Regular Meeting Minutes of November 15, 2021, Special Meeting Minutes of November 17, 2021 and Regular Meeting Minutes of November 30, 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 6B** - Motion to approve the bill list and pay the bills.

**Motion** made by Ms. Sherlock.

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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**REPORTS**

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

**Police Chief's Report – Chief George McClay** –He stated, I'd like to thank the guys that are leaving Council. I didn't agree with most of the things you've done but as a citizen you guys have stepped up and done your duty I appreciate that. I'd like to thank the Mayor I know you guys criticized him for not being involved but we talk weekly if not daily and we talk about the report going back changing how you guys do things regionalizing and never being able to find a leader that can take your department to where it belongs. Well I want to say that you did and the Mayor was a big part of that even though he wasn't sitting in that seat but he was a big part of that and I thank him for his leadership while we've worked together for the last eight years. Only other thing we'll talk about is the crime rate, we're still down 60% for the year besides that everything else is going fine. Everybody saw we had a little pursuit today coming through town from Falls Township again, this is their third pursuit in the last two weeks coming through our town. I sent their Police Chief the copy of my directive on the pursuits I am going to be sitting down with them soon. They have to stop their pursuits coming through our town they're very dangerous and they're not worth it so just to let you know I'm on that and that's what I'll be dealing with in the near future. Thank you.

**Manager's Report – Judith Danko** – She asked, does anyone have any questions regarding the report?

*Discussion ensued regarding the Manager's Report.*

### **COMMITTEE REPORTS**

Ms. Sherlock stated, John can actually speak to this more about the library roof and at what point we are at, but going back to the raffle that The Friends of the Library had pursued, I just want to mention that the grand prize winner was Jean Wilcox a long-term resident of Morrisville and the winter print that was second prize was the Brooks family, so we're very appreciative of all those who purchased a raffle ticket and thank you also Cunningham Hardware who sold quite a few tickets there they got involved and were happy to be a part of that. We don't have the figures at this time but I think it was more than \$1,000 that was raised for this effort to try to get the library building established as an historical site. Thank you.

### **ACTION ITEMS**

**Motion 8A** – Motion to adopt the 2021 Tax Levy Ordinance, subject to court approval.

**Motion** made by Ms. Sherlock.

Motion seconded by Mr. Bowers.

*Discussion took place regarding the motion.*

Mr. Parker stated, roll call.

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

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**Motion 8B** – Motion to adopt the 2022 Fee Schedule.

**Motion** made by Ms. Sherlock.

Motion seconded by Mr. Bowers.

*Discussion took place regarding the motion.*

Mr. Parker stated, roll call.

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

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**Motion 8C** – Motion to approve payment in the amount of \$11,672.00 to Capital Health as final payment per the EMS Fund as of 12/31/21.

**Motion** made by Mr. Bowers.

Motion seconded by Ms. Sherlock.

*Discussion took place regarding the motion.*

Mr. Parker stated, roll call.

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

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**Motion 8D** – Motion to approve payment in the amount of \$22,229.00 to Morrisville Fire Company as final payment per the Fire Fund as of 12/31/21.

**Motion** made by Ms. Sherlock.

Motion seconded by Mr. Bowers.

*No discussion took place regarding the motion.*

Mr. Parker stated, roll call.

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

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**Motion 8E** - Motion to approve a Borough Property Tax Refund (251 W. Philadelphia Avenue) because of fire damage, confirmed by the Bucks County Board of Assessments and Kathryn Schell, Tax Collector. The total amount of the refund is \$1,771.41 (Parcel# 24-010-022 \$1,163.62, Parcel# 24-010-003 \$402.69 and Parcel# 24-010-014 \$205.10) to Mark R. Suder, Jr.

**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.

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**Motion 8F** - Motion to approve the contract for Emergency Medical/Ambulance Services with Capital Health Systems, Inc.



**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 7-0.

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**Motion 8G** - Motion to approve executing the (2) Opioid Litigation Agreements concerning participation in the upcoming opioid settlements being administered by the PA Attorney General.

**Motion** made by Mr. Yager.

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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### **OTHER BUSINESS**

Discussion ensued regarding the DCNR Project Grant.

Ms. Danko stated, I would just like to give a giant thank you to Capital Health they sponsored our holiday decorations what you see here, the wreaths, the tree lighting which we have on the tree, the lights those were all donated. The decorations that you see downstairs in Borough Hall that was all decorations that were included in the sponsorship from Capital Health so a giant thank you to them for donating \$3,000 towards the Borough's Christmas holiday decorations.

### **BOROUGH OFFICIALS**

Mr. Parker stated, this is the last meeting, it's not the end of their official duties that doesn't come to the end of the year but it's their last meeting I have worked with these gentlemen, Councilman Yager and Councilman Bowers since they came on four years ago, we didn't necessarily agree on everything but I've said this to our prior president

as well we've agreed on a lot more than we've disagreed on. I just want to wish you the best in the future you've done something that a lot of people in town don't do and that's step up and actually try to make a change in town and you deserve a lot of credit for that so thank you and be well.

Mr. Bowers stated, thank you Mr. President.

Mr. Yager stated, thank you.

Ms. Hlahol stated, I'd like to add that although I haven't agreed with you guys a lot also but you did add a sense of common sense to the dais that will be lacking so I thank you guys for your input and for also keeping us on the straight and narrow as well.

Mr. Bowers replied, thank you Helen.

Mr. Yager replied, thank you.

Mr. Paul stated, I'd just like to add my thanks and tell both Mike and Justin that I've learned a lot from each of them actually. Thank you.

Mr. Yager replied, thank you.

Mr. Bowers stated, you're welcome. Thank you Bob.

Mr. Robinson stated, I'd like to say it's definitely a lot it's a lot easier when you're sitting out in the audience then sitting up on the dais and I'd really like to thank Mike and Justin, again, we didn't agree on everything we've had battles and whatnot but Mike I'm up there with you, you've definitely removed any doubt of mine, you do care about this Borough and want to see it succeed. Again thank you from the bottom of my heart guys, it's not easy up there I just want to thank you guys. You guys are all right.

Mr. Yager replied, thank you.

Ms. Sherlock stated, I think he's saying you're cool. Thank you Justin and Mike, the same with others, we didn't always agree but I respect the fact that you have taken the position.

Mr. Yager replied, thank you.

Mr. Bowers stated, just for the general public, the Morrisville Fire Company, Santa will be visiting Morrisville on Wednesday 12/22 and Thursday 12/23 on Wednesday between 5 and 8 p.m. Santa will visit the areas shaded in the map on the Morrisville Fire Company Facebook page it appears to be the areas North of West Trenton Avenue and south of I believe that's Bridge Street and then Thursday 12/23 between 5 and 8 p.m. Santa will visit the blue shaded area on the map that's the areas between Bridge Street and Trenton Avenue. You will not miss them they usually are lights, sirens and all kinds of action so thank you to the Fire Company for doing this they're all volunteers and they spend a lot of time doing things like this and other things for the community as well as putting out fires.

Mr. Yager asked, Mr. Bowers, when is the Dog Park Fundraiser?

Mr. Bowers replied, that one I don't have on hand. Some users of the Dog Park are doing a fundraiser at I believe Levittown Lanes, information is on the Friends of the Morrisville Dog Park Facebook page and I believe it's January or February so if you like to bowl and you want a good time check out the Facebook page and you can get in touch with the organizer and sign up.

Ms. Danko stated, I too would just like to say thank you to everyone on Council it's been a fun year so far and I greatly appreciate all of you working together as much as you possibly could and I appreciate Justin and Mike for all their input and I look forward to working in the next year also. Thank you all.

Ms. Sherlock stated, Mr. Parker, I'd like to say thank you to Mayor Dave Rivella who is leaving. I know that there's always controversy because he isn't here which I know by Borough Code he doesn't have to be but sometimes it's nice when they can be but I would like to just add that December 4<sup>th</sup> when we had the Winterfest activities what went on down here at the Borough was really fantastic. The entire Rivella Family presented a real fun night, everybody had a great time they had the tents, the lights and activities. I'd like to thank him for his service as well.

Ms. Hlahol stated, I'd like to thank also Imagine Morrisville they put on an event on a Sunday night it wasn't very well advertised but there were a lot of people there it was lot of fun there was dancing, singing, there were door prizes, not door prizes but raffles give out and it was really a very nice event and I look forward to more of those events.

#### **ADJOURNMENT**

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

Motion seconded by Mr. Yager 8:53 p.m.

<https://www.morrisvillepagov.com/meeting-videos/>  
<https://www.youtube.com/watch?v=Nm1JO4ZBRX0>