



6:00 Executive Session – Police and Personnel Litigation

The Morrisville Borough Council met on Tuesday, April 18, 2023 at 7:13 p.m. in Council Chambers at the Morrisville Municipal Building, 35 Union Street, Morrisville, PA for a Regular Council Meeting.

1. Pledge of Allegiance

All those in attendance stood and recited the Pledge of Allegiance.

2. Roll Call

The following Council members and Borough officials were in attendance:

- Borough Council: Bob Paul, President
 Helen Hlahol, Vice President
 Andrew Lubin
 Jason Manness
 Kathryn Price Engelhard
 Scott Robinson (via phone)
 Nancy Sherlock
- Borough Officials: Judith Danko, Borough Manager
 Scott Holbert, Solicitor
 Virginia Cyphers, Assist. Borough Secretary
- Not in Attendance: Brud Anderson, Mayor
 Carletha Murray

Mrs. Danko announced that Councilwoman Carletha Murray and Mayor Anderson were present during the zoom executive session.

3. Announcements and Presentations

- Waste Management Presentation – Bob Jones and Waste Management team; presentation of a \$65,000 check for a public safety donation. The donation is to help the Morrisville Police Department employ a Motor Carrier Specialist Officer with the goal of ensuring the safe operation of commercial motor vehicles and compliance with PA state safety laws.

4. Public Comments

1. Pam Cutchineal – *169 W. Maple Avenue*
She talked about Bears Auto Service on 115 E. Bridge Street and their recent fire and safety inspection. She stated that they weren't given any notice or any information on what they could expect from the inspection. After the inspection was complete she received a notice



MEETING MINUTES
MORRISVILLE BOROUGH COUNCIL
REGULAR MEETING

TUESDAY, APRIL 18, 2023
7:13 P.M.
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listing the deficiencies stating that she had 30 days to address the issues, they completed everything in about 45 days and received their final inspection. She feels that the inspectors should have proper identification and that businesses should be notified prior to inspection regarding what the inspection covers so that they could be prepared better to fix anything that needs to be done. She also feels that they should have been told about any fees or costs associated with the inspection as she received a bill for \$315.00 two months after the inspection was completed. She would like an explanation as to why she got two fees, one was for non-residential and one was for the annual inspection.

2. Joe Krut – *120 Osborne Avenue*

He stated that recently his stepson was shot at in Morrisville with a pellet gun and it was horrifying. He thanked Officer Lew Halas for tracking down the person that did it and he arrested him. He spoke about resident Keith Sinclair who joined the U.S. military back in 1984 and stayed in the military through various iterations and he is about to retire in January of 2024. He spoke with the person who organizes the Memorial Day Parade and they are going to make him and his wife Grand Marshals. He is requesting that Borough Council come together and recognize Mr. Sinclair, possibly a Keith Sinclair Day or a proclamation. He contacted John Galloway's office, Brian Fitzpatrick's office and the Mayor and they are going to try and do something on Memorial Day. He will be hosting a gathering in his backyard after the parade and he invited all distinguished visitors to come over and thank Mr. Sinclair and his wife Kathy. He wanted to thank Councilman Scott Robinson, Chief McClay and police officer Michelle Williamson they all provided outstanding support during our crisis.

3. Robin Reithmeyer – *335 Hamilton Blvd.*

She stated that at last month's meeting there was some discussion over why events were being approved for July, August and September and why we couldn't wait a little longer. She wanted to bring to everybody's attention that in February Bristol Borough started advertising all of their events for the year through October. She stated that recently Bristol Borough had a food truck event with 28 food trucks and 100 vendors and she feels that we need to plan our events a year out. She stated that a couple of months ago she spoke at the meeting on behalf of the Morrisville Economic Development Corporation and she was asked if she could disclose who the buyers of the property on Delmorr Avenue were and she couldn't because the MEDC had signed a non-disclosure agreement last month. She stated that the Rabenas came to the meeting and told you they purchased the property, she wanted to make it clear that the Rabenas did not sign a non-disclosure agreement so at the time they could say they were buying the property and the MEDC could only say that we were selling the property, we weren't withholding any information from anybody.

There being no further public comment, the President proceeded to the business portion of the agenda.

5. Approval of Minutes

5A. Motion to approve the Borough Council Regular Meeting Minutes of March 21, 2023.



Motion made by Mr. Lubin and seconded by Mrs. Sherlock.
No discussion took place regarding the motion.
Motion carried by voice vote 7-0.

6. Finance

6A. Treasurer's Report

The Treasurer's Report was provided in the Council packets.

6B. Approval of the Bill List

Motion to approve the bill list and pay the bills.
Motion made by Ms. Hlahol and seconded by Mr. Lubin.
No discussion took place regarding the motion.
Motion carried by voice vote 7-0.

7. Reports

7A. Mayor's Report

There was no Mayor's Report this evening.

7B. Police Chief's Report

Chief McClay talked about upcoming events on June 8th, June 22nd, July 6th and July 20th. He is requesting to use the park to have movie night for the kids in the Borough and the Baptist Church will help with it at no cost to the Borough or Police Department. National Night Out will be July 25th it's being moved up a week from last year because it was so hard to get a bouncy house and all the other things the he wants to get. They've secured helicopters and all kinds of good things it should be another great night that will cost nothing to the Borough. Some private contributions will cover all the expenses which include a lot of food and the bounce house and everything else. He talked about the 457 program that is a benefit for the uniform and non-uniform that cost the Borough very little but will be a good thing for the lifetime of the police officers and non-uniform people. He stated that he brought Officer Gary Zumpano tonight who is an expert on our Tasers. Our Tasers are at the end of their life and they are not guaranteed anymore by Taser, they will not cover us if there is a malfunction with them. Last week in coordination with the District Attorney's Drug Task Force we arrested a major supplier of meth in town. Officer German who was coming on as a part-time officer decided not to proceed any farther with being hired, I think he is still very affected by the death of Temple Officer Fitzgerald. We have 9 full-time police officers with one out IOD and 5 part-time officers with one out IOD. He stated that he will be coming to the next finance committee meeting to give some recommendations regarding salaries for the part-time officers and some benefits. He stated that we need to start being more competitive and equal to other boroughs and attracting the very few candidates that are out there.

Officer Gary Zumpano spoke briefly about replacing the Tasers with the new models which includes a warranty and training cartridges for 12 officers as well.



7C. Manager's Report

Manager Danko stated, as you had heard Chief McClay has been investigating a new 457 plan for all employees uniform and non-uniform that item is on the agenda this evening for consideration he had also supplied a letter of recommendation from Chief of Police from the Middletown Township Police Department which we received late and I can distribute that to Borough Council if anyone is interested. She spoke about some of the items that are taking place regarding the ARPA funds. She reported that they have collaborated with the Borough Engineers regarding the sewer line repair at Borough Hall which will include some work in the parking lot and the work will begin shortly. The Borough Hall roof project has been advertised, the pre-roof bid meeting will be on 4/25/23 we will have bid openings on May 9th and if all goes well we will have an awarding of a bid on May 23rd at the next Council meeting. There has been discussion in regards to changing the council meeting also from May 16th to May 23rd that's also on the agenda this evening for approval of advertising which we believe will take place. She stated that she will be bringing a contract regarding the electrical system for the Borough Hall to the Council at the May meeting and that she and John Later are going over the details of that currently. She announced that the copier contracts were put out for quotations and she is working with a company that is the lowest quotation and she is requesting approval from Council this evening and that will provide us with a new color copier for the police department to replace their black and white copier and we will have new copy machines throughout the Borough building and we are transferring the one that is in the basement over to the library because that's a newer unit. She stated that there has been a lot of discussion regarding the Bridge Street project at every single meeting, at this point the additional grant funding has been approved and with that said we're working on the Williamson Park Planning Grant so there's some decisions to be made regarding the Williamson Park Planning Grant. She stated she has spoken a little bit about this with some of the Council people that had attended the Policy and Ordinance Committee meeting. We will begin that meeting this Thursday so far we have two Council persons that are interested in being on the study committee, I'm looking for two other Council persons at this time, if not I will be reaching out to others if I don't hear anything from Council I was going to speak with several of them this evening. At this time we have some decisions to make regarding this grant we were informed that times have changed regarding these grants and that sometimes it's better since COVID to go after some of the grants themselves without the plans so there will be a major discussion at the very first meeting as to how we would like to proceed. So far I have Kathryn and Nancy who have volunteered to be on the study committee and again I'm looking for two other Council persons this evening so we'll talk more about that and the information regarding this will be in the Friday drop for all of Council. She announced that she received an email from Ms. Colgan asking us to remove item 8K this evening from the agenda. She stated that we have been working with Tom Josiah regarding our finances we have made all the trail balances and journal entries up to December 31st 2022 and our audit is being completed so I'm happy to say the equity accounts were reconciled for the prior year and we are currently working on escrow accounts now that have not been reconciled for some time and that is what we're proceeding on. She stated that there's been some discussion with PennDOT regarding the proposed warehouse in Falls Township and she has a meeting lined up this week and will be providing more information



as to what the scenario is in Morrisville and what our expectations are and what has taken place so far with all of the items with trying to make sure that the traffic patterns are going the ways that are needed because of the heavy duty truck traffic. She announced that she is working with the RDA on the blighted property at 327 Prospect Avenue, we're following through with the blighted process and that the Superintendent of Public Works ordered our new dump truck with the salt spreader and snow plow that will be paid with Grant monies in full. She stated that Little League had their opening day which she heard was very successful and Mr. Ben Bressler has been working with the Borough regarding all of the reports and we will be providing that to Borough Council so everybody can see the information as to the rosters and so forth. She stated that once we get past the electrical panel and the roof we are hoping to do more items here at Borough Hall, but we're going to wait until we get those quotes in and bids in to see where we're at with the finances and how much those items will be costing the Borough Council because of utilizing ARPA funds for these items.

Discussion took place regarding repairing potholes and the streets program.

Jacob Rigg, Project Engineer with Gilmore & Associates gave a report on the streets program.

7D. Committee Reports

- **Business Outreach Committee**

Ms. Hlahol announced that she was able to secure some mulch for the Robert Morris Plaza but she needs to know if Public Works can be utilized to go pick up the mulch from Britton Industries and bring it down to the plaza on Friday morning.

- **Policy and Ordinances Committee**

Mr. Paul stated that they met on April 12th and in attendance were Nancy Sherlock, Kathryn Price Engelhard and Mrs. Danko. At the meeting we went over the proposed amendments to ordinances that were prepared by Scott Holbert with me during the previous week based on samples that Kathryn had collected from some of the other neighboring boroughs. Both of the ordinances as well as for the special permit application for events that would offer the consumption of alcoholic beverages. We had a pretty productive session, we went through the ordinances in detail and made a few changes which I have to go over with Mr. Holbert in the next few days and then we're going to submit for this Council's consideration at the May Council meeting final approval of the proposed amendments to the ordinances that would permit the consumption of alcoholic beverages at special events sponsored by the Borough.

- **Parks and Recreation Committee**

Ms. Price Engelhard stated that the meeting was held on March 28th and they talked about the damage and that they were pleased with Conrail's response and getting the fencing up and cleaning up a lot. She worked on a grant to see if she could get some possible money to start replacing the shrubs and bushes that were removed. They talked about the long range planning for the Williamson Park and it was discussed that we needed to start planning the steering committee and we're excited about that. She needs to get with the Chief on what he



is doing too so that we're coordinating all the events. I'm very excited to hear that we're going to have these other ongoing events that involve families. I've gotten a lot of phone calls from people that are excited about this. We've got several events coming up, the first one's going to be the Food Truck Festival and we have secured the live band, Seven thanks to a volunteer. We're going to be setting some dates for painting the benches and to make them look nice in the park and the mural which is looking great.

8. Action Items

- 8A.** Motion to approve a 5 year contract with Axon Enterprise, Inc., for the total amount of \$49,678.50 (to be paid in increments over five years) for new Tasers and necessary equipment for Tasers for the Morrisville Police Department. To be paid for out of budget line item #410-227 (Enforcement Equipment) and budget line item #410-317 (Special Enforcement Equipment).

Motion made by Ms. Hlahol and seconded by Mrs. Sherlock.

No discussion took place regarding the motion.

Motion carried by voice vote 7-0.

- 8B.** Motion to approve the Preliminary/Final Land Development Application of ARD Pennsbury, LP dated January 5, 2023 for 229 Plaza Boulevard, TMP# 24-1-1-5 and 24-1-1-6. (Resolution for motion to be provided.)

Motion made by Mrs. Sherlock and seconded by Ms. Hlahol.

Zachary Sivertsen Attorney with Eastburn & Gray gave a presentation on behalf of ARD Pennsbury LP.

Discussion took place regarding the presentation and motion.

Jason Abrams, representative of the ARD Pennsbury LP answered questions regarding the motion.

Motion carried by voice vote 7-0.

- 8C.** Motion to authorize advertisement of the May 2023 Borough Council meeting being rescheduled from Tuesday, May 16 to Tuesday, May 23.

Motion made by Mrs. Sherlock and seconded by Mr. Lubin.

No discussion took place regarding the motion.

Motion carried by voice vote 7-0.

- 8D.** Motion to approve payment on behalf of Councilwoman Nancy Sherlock in the amount of \$250.00 for the fee to attend the Pennsylvania State Association of Boroughs (PSAB) annual conference – full package registration.

Motion made by Ms. Price Engelhard and seconded by Mrs. Sherlock.

Discussion took place regarding the motion.

Motion to table made by Mrs. Sherlock and seconded by Mr. Paul.



Motion to table carried by roll call vote 6-1. (Nay vote being Ms. Price Engelhard)

8E. Motion to approve reimbursement for Councilwoman Kathryn Price-Engelhard in the amount of \$250.00 for the fee to attend the Pennsylvania State Association of Boroughs (PSAB) annual conference – full package registration.

Motion made by Mrs. Sherlock and seconded by Ms. Price Engelhard.

Discussion took place regarding the motion.

Motion carried by roll call vote 4-3. (Nay votes being Mr. Lubin, Ms. Hlahol and Mr. Robinson)

8F. Motion to designate an Official Voting Delegate and Alternate Delegate for the 111th General Assembly of Boroughs, June 4 – 7, 2023. The Designated Voting Delegate is appointed for the purpose of electing the officers of the association and voting on proposed resolutions and policies.

Motion to nominate Kathryn Price Engelhard for Voting Delegate made by Mrs. Sherlock and seconded by Mr. Manness.

No discussion took place regarding the motion.

Motion to nominate Kathryn Price Engelhard for Voting Delegate carried by roll call vote 4-3. (Nay votes being Mr. Lubin, Ms. Hlahol and Mr. Robinson)

8G. Motion to approve the event date of July 25, 2023 for the annual Night Out event in Williamson Park (contingent upon all necessary forms and paperwork being submitted and approved).

Motion made by Ms. Hlahol and seconded by Mrs. Sherlock.

Discussion took place regarding the motion.

Motion carried by voice vote 7-0.

8H. Motion to approve resolution approving amendments to the rules and regulations of the Morrisville Civil Service Commission.

Motion made by Mrs. Sherlock and seconded by Mr. Lubin.

No discussion took place regarding the motion.

Motion carried by voice vote 7-0.

8I. Motion to approve adopting the Commonwealth and Municipal Traffic Signal Maintenance Agreement with the Commonwealth of Pennsylvania and approving the Borough Manager to be authorized and directed to submit the agreement on behalf of the Borough.

Motion made by Ms. Hlahol and seconded by Ms. Price Engelhard.

No discussion took place regarding the motion.



Motion carried by voice vote 7-0.

- 8J.** Motion to award the copier contract to Canon Solutions America at \$670.00 per month (contract is 60 months and includes all training, service and supplies; except for paper.) Motion made by Mrs. Sherlock and seconded by Ms. Price Engelhard.

Discussion took place regarding the motion.

Motion carried by voice vote 6-0 and 1 abstention. (Abstention vote being Mr. Manness. His reasoning was that his mother works for Canon and he did not want there to be any impropriety or conflict of interest)

- 8K.** Motion to approve the MEAC Spring Nature Walk with Mary Ann Borge at the Morrisville Riverfront Preserve on Saturday, 4/22/2022, at 10:00 a.m.

Motion Removed from Agenda.

- 8L.** Motion to approve contacting PennDOT to request a change in the speed limit on Delmorr Avenue from 35 mph to 25 mph.

Motion made by Mrs. Sherlock and seconded by Mr. Manness.

Discussion took place regarding the motion.

Motion carried by voice vote 7-0.

- 8M.** Motion to adopt Resolution acknowledging and recognizing the week from May 21, 2023 through May 27, 2023 as National Public Works Week.

Motion made by Ms. Hlahol and seconded by Mr. Lubin.

No discussion took place regarding the motion.

Motion carried by voice vote 7-0.

- 8N.** Motion to consider approval of the Borough sponsoring a new 457 plan for Uniform and Non-Uniform employees. Plan sponsorship would be a cost of \$500 for the Borough and any legal fees for contract review by our solicitor.

Motion made by Mrs. Sherlock and seconded by Mr. Lubin.

Discussion took place regarding the motion.

Motion carried by voice vote 7-0.

- 8O.** Motion to appoint Nancy Sherlock as Alternate Voting Delegate for the PSAB Conference June 4th – June 7th.

Motion made by Ms. Price Engelhard and seconded by Mr. Manness.

Discussion took place regarding the motion.

Motion carried by roll call vote 7-0.



9. Other Business

- Mrs. Sherlock requested that all of Council receive a copy of the final ARPA report that is due on April 30th.
- Mrs. Danko stated that there is no written report, it's done electronically and she was unable to print anything last year and if there is a way to print it she will find out. She stated that last year they chose the one-time exemption so other than that exemption she is unsure as to what else she has to provide them, she may not need to provide other items to them and she is looking into it. The gas boy is one of the items the roof will be the next, the sewer project, the electric project, so those are the items that we'll be adding to that.
- Mrs. Sherlock stated they are projected items, they won't be done before the 30th of April so what do we do?
- Mrs. Danko stated it will only be the items that you have already voted on and approved so it will be the gas boy which you already have that information and it depending on the sewer, we will have the work most likely done but we probably won't have the invoicing completed at that point, so really at this point the only invoicing will be the gas boy which all of you already received that information so you know what that is so I really wouldn't be providing Council anything other than that but upcoming you will know exactly what will be on that report because you'll have voted on those items at the meeting so you already voted for the gas boy to be paid by ARPA funds which we did, you have voted for the sewer to be paid by ARPA funds which we will be doing, you will be voting on the roof to be paid by ARPA funds and then the electrical so you will already know ahead of time what you're voting for and what will be there.

10. Borough Officials

- Mrs. Sherlock asked about the wires on Centre Street and whether or not we were contacting them or if we knew what wires they are.
- Mr. Later stated that he contacted the homeowners and told them that they were going to have to call their service provider to pull some of those wires up that are hanging low.
- Mrs. Sherlock asked why are the homeowners required to call.
- Mr. Later replied it's their phone lines, their service. If it's in my yard I have to call. If I call Verizon or Comcast they are going to say do you have an account number.
- Mrs. Sherlock asked, so they are definitely phone lines, is that what you're saying?



- Mr. Later replied phone lines or cable lines, one or the other.
- Mrs. Sherlock stated this is good for the public to know if you have a wire down you have to call. Thank you. She stated she noticed a library rental for \$175.00 on the library financials and asked Mrs. Danko if she knew who rented it.
- Mrs. Danko stated that they were going to try to work on renting the downstairs room so they may have rented that.
- Mrs. Sherlock replied it used to be the railroad was a constant there every month so maybe they paid all at once.
- Mrs. Danko stated, I'm not sure myself because I don't see when the deposits come in from the girls doing them but that may be possible. I know that they did discuss that they would like to try to increase the amount of rentals that they have so they could generate some income.

Mr. Paul announced that there is an opening on the Zoning Hearing Board for an alternate, One, 3-year alternate appointment for the remainder of the unexpired term which expires on January 8th 2024.

11. Adjournment

Motion to adjourn made by Mrs. Sherlock and seconded by Mr. Manness.

Motion carried by voice vote 8-0.

Meeting adjourned at 9:09 p.m.

<https://www.morrisvillepagov.com/meeting-videos/>
<https://www.youtube.com/watch?v=t6xUsJotNgI>