

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

<b>ROBERT HARVIE, JR., CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFFRY DENCE, VICE-CHAIRMAN</b>	<b>ABSENT</b>
<b>JEFFREY ROCCO, SECRETARY</b>	<b>PRESENT</b>
<b>JONATHAN SNIPES, SUPERVISOR</b>	<b>PRESENT</b>
<b>BRIAN M. GALLOWAY, SUPERVISOR</b>	<b>PRESENT</b>

The meeting commenced at 7:00 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Dence. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

**PRESENTATION FROM PHIL MACALOON REGARDING THE FALLS  
TOWNSHIP COMMUNITY GARDEN**

Mr. Phil MacAloon said he is the Temporary Chairman of the Falls Township Community Garden. Also joining him this evening are Lt. Hank Ward and Ms. Eileen Donahue. Mr. MacAloon said three years ago, the community garden was planned for Falls Township residents. They wanted a place where people could grow their own vegetables. They visited several area garden sites to gather ideas. In 2011, they chose their present site and received permission to use a section of phase 1 in the community park, next to the soccer field. They were going to have forty 10 x 20 ft. plots, however, after getting the soil tested by Penn State, it was determined the soil was not feasible to grow vegetables. In 2012, they met and decided the best solution would be to use raised beds. Lt. Ward was able to get about 140 pieces of 2 x 8, 10-ft. pressure-treated lumber. On two Saturdays in March, they constructed forty 4 ft. x 10 ft. wooden boxes and plots and placed them in the garden. After that they erected a deer fence. Mr. MacAloon said last year the garden was bustling with blossoms. They plan to add poultry wire on the base of the fence. This year they will have a total of 46 boxes as well as six smaller boxes. They were able to streamline the application process so people can simply filling out an on-line request and the application will automatically mail to their community garden mailbox. Information will be posted on the website and they will also get some publicity in the Bucks County Courier Times. They will allow those township residents who had a plot last year, the first chance to get a plot this year. Only after all Falls Township resident requests are filled, will they accept non-resident applications. Plots will be assigned around April 1<sup>st</sup> and there is no charge. Mr. MacAloon said they would like to set up the by-laws and appoint officers. They would like to hand out some plant samplings on Earth Day. They will reach out to the Master Gardeners at Penn State to present four informative seminars. They will cover topics of starting seeds, composting, controlling weeds, and insects and disease. Another goal is to

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have a successful harvest, meet fellow gardeners, and lastly, have fun. Mr. MacAloon thanked Lt. Ward, Manager Gray, Mr. Arnao and the Public Works Department, Mr. Markey, and the Board of Supervisors for all of their help and support. Member Galloway asked if the meeting with the Penn State folks would be open to the public. Ms. Donahue said yes and added that people can reach out to the Master Gardeners at any time. The first seminar will probably be held on Earth Day. The board thanked Mr. MacAloon, Lt. Ward, and Ms. Donahue for all of their efforts with this project.

**ITEM # 1 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON  
FORTY-FIVE MINUTE MAXIMUM**

Mr. Roland Kenney said when he first moved to the township years ago, he asked Chairman Alan Wilson for some help and was told that as long as he was on the board, Mr. Kenney will not get a thing for Avenrowe. Mr. Kenney said the folks at Avenrowe voted to support the current board. Mr. Kenney said he has not yet seen the January 7, 2013 meeting on the cable channel and asked if it could be aired so people will know what positions on the board have changed.

Mr. Guido Mariani mentioned the letter from the board that was written in support of firearm legislation and what the board called commonsense gun laws. Mr. Mariani referenced a letter he wrote in regard to the Adam Welch Bill which did get passed in December and that was to register sex offenders. As a Falls Township resident, Mr. Mariani said he also sent a letter concerning criminal violence to Senator Casey, Senator Toomey, Congressman Fitzpatrick, and Representative John Galloway. Mr. Mariani said with over 22,000 gun laws that have already been enacted to control firearms, we don't need any more laws. What we need is some enforcement for these laws. Mr. Mariani said as a responsible, firearms owner, he supports gun laws that prevent a certain type of individual from owning a firearm. Mr. Mariani said he is the first line of defense for his home and for his family and he determines the best way to protect his family and keep his home safe. His choice to own a firearm should be respected and protected and that right of self-defense is the reason we have the Second Amendment. With regard to the budget, Mr. Mariani asked about healthcare costs going from \$65,471 to \$91,223. He asked how many people are covered by the premium. Manager Gray said it went up because the former assistant of the manager retired and was not covered and the new assistant is covered. It is for two family plans and one single plan. Mr. Mariani said the private sector health insurance went up this year from \$15,100 to \$15,400. He said it seems to him that we might be a little out of line with the plans offered here. Mr. Mariani referenced the casino grant in the police department budget. There was a figure of \$374,141 and we received a grant of \$216,779 which reduced what we had to \$157,362. Mr. Mariani asked where this was in the budget. Manager Gray did not know off the top of his head, but he offered to talk with Mr. Mariani if he wanted to come into his office. Chairman Harvie said for two of the three plans, the employees are paying into their health insurance. The board has been studying for a while now, an option that will save the township a lot of money since healthcare is a major issue with the costs being the way they are.

Mr. Edgar Lituma thanked the board for the soccer fields and said he knows the fields may not be ready by the spring. Chairman Harvie said one soccer field will be ready for spring. Mr. Lituma asked if the township had anything in the budget for renovation of the other soccer fields. He invites the board to go to the field during the soccer season to see how many people use the fields. Chairman Harvie said they do realize there are a few more fields that need to be renovated. They do not currently have a schedule for those other fields. Mr. Lituma said they will keep using Quaker Penn Park. Chairman Harvie said there is a Levittown football league that is looking to use some space in Falls Township. More than likely they will use the field that is used by the rugby team. When people want to use the fields, they look to see if over half of the players using the field are from Falls Township. Mr. Lituma asked about the bridge on South Olds Boulevard. Chairman Harvie said they have approved the bid, and the contractor has the go-ahead now. It is a matter of waiting for the weather to be right. Mr. Sullivan said the culvert has been released for fabrication and will take a couple more weeks. The detour plans are being approved by PENNDOT. We also need to discuss this with the school district since buses will need to take a different route. They plan to start sometime in March and beginning to completion will be about four weeks.

Mr. Andy Dell asked what was written in the letter that was sent out in regard to gun violence. Chairman Harvie said at the last meeting there was a letter that he drafted asking the other board members if they would support sending the letter to our elected officials at the state and federal level. The letter asks them to look at commonsense gun legislation as well as mental health care in this country and state and to make sure the people who need help get help and we don't find out about it too late. We did not ask for any specific measures or laws but to be open to discussions and to talk about it. Mr. Dell said if you keep banning and punishing legislation, the criminals will still have these guns. The only people you will take guns away from are legal gun owners. He said there are probably close to a billion guns out there. Criminals will always have guns. Mr. Dell said it seems that people aren't prosecuted like they should be.

**ITEM # 2    WHEELABRATOR FALLS – FINAL LAND DEVELOPMENT -  
1201 NEW FORD MILL ROAD, TMP # 13-047-162**

Manager Gray said this is a final land development for Wheelabrator Falls, located at 1201 New Ford Mill Road. They are proposing to construct a tarping station consisting of 1,052 sq. ft. of industrial space. The applicant is represented by Mr. Brian Teppetis. Mr. Teppetis gave an explanation of Wheelabrator's operation. They burn municipal solid waste and it turns into ash. They load trucks with the ash, but due to a new conveyor arrangement, the trucks cannot properly tarp in the building. In order to tarp them, they have to pull outside and tarp outside. As a way to mitigate any dust, they propose to install an indoor tarping station. This stops the spread of dust. Waivers include sidewalks, street trees, curbs, site grading plan. Everything else is a will comply. Member Galloway moved to approve Resolution # 2013-8, Wheelabrator Falls final land development; Member Snipes seconded the motion; all board members were in favor. (4-0)

**ITEM # 3 METRO PCS – CONDITIONAL USE HEARING – 275 LINCOLN HIGHWAY, FAIRLESS HILLS, PA 19030, TMP # 13-003-015**

Member Snipes moved to table the Metro PCS Conditional Use Hearing for 275 Lincoln Highway until April 2, 2013; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 4 METRO PCS – CONDITIONAL USE HEARING – 701 FALLSINGTON TULLYTOWN ROAD, LEVITTOWN, PA 19054, TMP # 13-040-002**

Member Snipes moved to table the Metro PCS Conditional Use Hearing for 701 Fallsington Tullytown Road until April 2, 2013; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 5 CONSIDER S&S WILDLIFE AGREEMENT FOR GEESE CONTROL AT FALLS TOWNSHIP COMMUNITY PARK**

Manager Gray said the township has secured a proposal from S&S Wildlife Control Services for Canada Goose management at the Falls Township Community Park. The proposal includes permits with the U.S. Fish and Wildlife Service and egg addling and is in the amount of \$5,225. This is the same price as last year and is included in the budget. Mr. Reese recommended continuing with what they are doing and have been doing for the past several years. Mr. Rich Shadel from S&S Wildlife presented the board with some information. He said last season they found nests and treated eggs. Mr. Shadel said they met with the U.S.D.A. with regard to obtaining the round-up permits and that brought down the population to just a few geese. When they obtained that permit, the rules were different. They stepped up requirements for hazing efforts with the egg addling and finding and treating eggs. If the township wants to do a round up again, a more aggressive stance will be required. Most of the geese flying north and south are flying right through Bucks County. The geese that are here are habituated. They are not going anywhere unless you make them go away. Last year they uncovered nine nests and treated thirty-five eggs. That varies a little bit from year to year. These nests are put down from late February to the beginning of June. It takes continuous searching to make sure you don't miss any nests. Mr. Shadel said this effort will definitely make a difference. Chairman Harvie said the proposal is in the amount of \$5,225 for egg addling and nest destruction permits. The last page has an hourly rate with permit costs as well as the cost of the round up itself. Chairman Harvie asked if they should do both. Mr. Shadel said without a history of some additional hazing, along with the addling and egg treatment, there is no chance of a round up this year. That hazing happens day or night as much as it has to. Member Rocco asked Mr. Shadel if he has been over to the park lately as there are a large number of birds there. Mr. Shadel said right now there is a mix and you will see that for another month or so. Member Rocco asked how long the park stayed free of birds after the last round up. Mr. Shadel said during the months of June, July, and August, it stayed clear as the geese do not fly. That is why you can do the round up. The easiest birds to un-habituate from the site are the birds that have no prior commitment to this site. If birds are challenged aggressively, they will find someplace else to go. Member Rocco asked if they used dogs last year and if that

qualifies for hazing. Mr. Shadel said yes, it does. Many kinds of tools are the best thing when it comes to geese. One of the things that the U.S.D.A. would like to see is that you would secure a limited-kill permit that would allow you to take a certain number of geese. Mr. Shadel said they would start in late February or early March with their nest identification and checking over the property. Member Snipes asked Mr. Shadel how long they have been doing the egg addling at the park. Mr. Reese said it has been about ten years. Member Galloway asked if it was \$5,225 for the egg addling and filing fees. Chairman Harvie said yes and on the last page there are other options they can do. Mr. Clarke said his office has looked into this to see if this can be handled as professional services. They believe it falls into that category. You can enter into an agreement with a Not To Exceed (NTE) amount. Member Snipes moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Mr. Guido Mariani said we go through this every year. He said the egg addling is like birth control. It reduces the population, but does not eliminate the geese. We talk about border collies which are endorsed by the Humane Society, and the geese fly to another location. Mr. Mariani said there are other things that can be used as well. Flight Control is to spray on the areas where the geese are feeding. It causes a mild stomach discomfort to the geese. It causes the geese to associate that treated area with a stomach ache and then they leave the area to go someplace else. Other products are Rejected or Goose Chase which irritates their mucus membranes and they will leave the area. Fog Force can be used to fog the area causing the birds to leave the area completely and they may not come back for the entire season. You might have to use it twice a season. Mr. Mariani thinks they should try something else. Member Galloway moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (4-0) Mr. Shadel said Fog Force and Rejected are both good products. With hazing there are times he uses Fog Force. There are certain times you can do that and times you cannot. Flight Control is an excellent product and they use it as a spot treatment product. There are products that you have to re-apply as the grass grows and gets cut. The problem with these products is that they are expensive. Flight Control costs \$250 per gallon which covers one acre, one time. You may have to apply these products once or twice a month. Member Rocco asked how big phase 1 is. Mr. Reese said the entire park is about 278 acres and the lake itself is 72 acres. Mr. Shadel said you would have to apply the products everywhere and you cannot miss any spots. Member Rocco asked if we used dogs during the day, if it is possible to use Mr. Shadel's services at night-time. Mr. Shadel said yes and he will be more than happy to work with someone else. Member Snipes moved to approve the amount NTE \$10,225 for egg addling as well as a hazing program with S&S Wildlife; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 6    CONSIDER PURCHASE OF VIRTUALIZATION AND SERVER SIDE STORAGE FOR TOWNSHIP ADMINISTRATION**

Mr. Matt Markey said on the administration side, they have personal computers and a server. They interact in a normal environment. There is no overlying control mechanism when trying to add something to all of the machines. They looked at different options and one of those options is virtualization. What it entails is moving the administration staff to a

virtualized platform and service space to accommodate those new users. It will have a host operating system. Their personal computers will not have a standard windows environment. In reality, they are being fed a virtual environment; one that is being controlled on the back end and that allows us to serve the proper programs, provide anti-virus; all essentially controlled and monitored and protected. In this environment, you don't have to worry about anti-virus as much. It will be a big time and management saver. Our back-ups are unified and cleaner and easier to manage. The idea is to do the service for one year and if we have success, to try to get a group discount since the police department also uses this. It would also help when purchasing new computers with being able to purchase lower-cost, off-the-shelf models. If someone is off-site, they will be able to get to their desktop. Mr. Markey said initially it will be about twenty two units moving to the virtual platform and then they would expand to the code department. Member Snipes asked if this is in the budget. Manager Gray said yes; it is in Mr. Markey's budget. Member Snipes moved to approve the virtualization and service site storage proposal from Dynamatrix in the amount NTE \$6,500 for 2013; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 7 CONSIDER PURCHASE OF UPGRADE TO BS&A SOFTWARE FOR THE CODE ENFORCEMENT AND FIRE MARSHAL'S OFFICE**

Mr. Matt Markey spoke about this upgrade. He said they use the BS&A platform which keeps track of all of the parcels. This will be an upgrade to this system. Chairman Harvie asked when the last upgrade occurred. Mr. Markey said they have applied small patches, but no larger upgrade in about four years. We just found out about this upgrade so although it was not budgeted, we do have funds available for this upgrade. Member Rocco moved to approve the upgrade to BS&A Software for the Code Enforcement and Fire Marshal's Office, in the amount NTE \$10,285; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 8 CONSIDER RESOLUTION FOR FEMA REIMBURSEMENT FOR HURRICANE SANDY**

On January 23<sup>rd</sup>, Manager Gray and the fire marshal attended a meeting regarding public assistance from FEMA and PEMA regarding Hurricane Sandy. At the meeting they provided applications and information regarding eligible reimbursement costs. Manager Gray said some reimbursements include overtime for township staff including police, Public Works employees, Fire Marshal's office, support staff, and several services contracted out including tree removal. As part of the process, a resolution is required. Member Galloway moved to approve Resolution # 13-09, FEMA Reimbursement for Hurricane Sandy; Member Snipes seconded the motion; all board members were in favor. (4-0)

**ITEM # 9 CONSIDER RESOLUTION FOR TAX COLLECTOR'S COMPENSATION**

Mr. Clarke said every four years when the tax collector's position is on the November ballot, the municipality must set the compensation by February 15<sup>th</sup> of that year so that anyone interested in running for the office would know what the compensation would be for

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the tax collector. In 2009, we passed a similar resolution adjusting the tax collector's salary. The tax collector is on the ballot for this November. In anticipation of this coming up this year, Mr. Clarke said his office looked at the compensation for the various tax collectors in surrounding municipalities and have made a recommendation to adjust the rate from \$1.25 to \$2.00 per tax parcel. This is more in line with the surrounding communities. Included in the compensation for the tax collector, is the office space here in the township building which is provided rent free. The rent would probably equal another \$0.99 per tax parcel. Chairman Harvie said the tax collector is paid by the township, the county, and the school district. Member Rocco asked how many tax parcels we have in the township. Manager Gray said there are about 13,000. Member Snipes moved to approve Resolution # 2013-10 for the Tax Collector's compensation; Member Galloway seconded the motion; all board members were in favor. (4-0)

### **ITEM # 10 MINUTES – JANUARY 7, 2013 AND JANUARY 15, 2013**

Member Galloway moved to approve the minutes from January 7, 2013; Member Rocco seconded the motion; all board members were in favor with the exception of Member Snipes who abstained from the vote since he did not attend the January 7, 2013 meeting. (4-0-1)  
Member Galloway moved to approve the minutes from January 15, 2013; Member Rocco seconded the motion; all board members were in favor. (4-0)

### **ITEM # 11 EXECUTIVE SESSION – There was no Executive Session held.**

### **ITEM # 12 MANAGER COMMENT**

- A. Member Snipes moved to enter into an agreement with Thomas J. Anderson and Associates (police pension consultant in the amount of \$4,800; Member Galloway seconded the motion; all board members were in favor. (4-0)
- B. Member Galloway moved to approve the purchase of twenty bare-root trees at the price of \$50 each for a total of \$1,000; Member Snipes seconded the motion; all board members were in favor. (4-0)
- C. Member Snipes moved to approve escrow release # 1 for TrenchTek in the amount of \$32,819.05; Member Galloway seconded the motion; all board members were in favor. (4-0)
- D. Member Snipes moved to approve the cash escrow release for T-Mobil in the amount of \$2,467.96; Member Galloway seconded the motion; all board members were in favor. (4-0)
- E. Member Rocco moved to authorize the amount of \$6,000 to go toward this year's St. Patrick's Day Parade; Member Snipes seconded the motion; all board members were in favor with the exception of Member Galloway who abstained from the vote due to his involvement with the parade. (4-0-1)
- F. Member Snipes moved to authorize the amount of \$6,000 to go toward this year's Delaware Valley Vietnam Veterans' 28<sup>th</sup> Annual Flag Memorial to be held at the Falls Township Community Park; Member Galloway seconded the motion; all board members were in favor. (4-0)

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- G. Member Galloway moved to authorize the amount of \$6,000 to go toward the Fairless Hills Athletic Association; Member Snipes seconded the motion; all board members were in favor. (4-0)
- H. Member Galloway moved to authorize the amount of \$6,000 to go toward Levittown Continental Little League; Member Snipes seconded the motion; all board members were in favor with the exception of Member Rocco who abstained from the vote. (3-0-1)

**ITEM # 13 BOARD COMMENT**


Member Rocco nominated Mr. Anthony Rosso to the Cable Advisory Board; Member Galloway seconded the motion; all board members were in favor. (4-0)

Member Galloway announced the St. Patrick's Day Parade to be held on Saturday, March 16<sup>th</sup>, starting at 10:30 a.m. This is the 25<sup>th</sup> year of this parade and they hope to see everyone come out.

Member Snipes – no comment.

Chairman Harvie nominated Mr. John Persiketti to fill the vacancy on the Parks & Rec Board; Member Rocco seconded the motion; all board members were in favor. (4-0) Chairman Harvie said he and some other board members recently attended some D.A.R.E. graduation ceremonies. Chairman Harvie thanked the police officers from Falls Township and Lower Makefield Township who do an excellent job in presenting this program and educating children of the dangers of drugs, alcohol, smoking, and making bad decisions. Chairman Harvie thanked board members, professionals, and the administration for all the work they do.

Member Snipes moved to adjourn the meeting; Member Galloway seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 8:45 p.m.

  
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Jeffrey Rocco, Secretary