

**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>PRESENT</b>
<b>JEFFREY ROCCO, SECRETARY-TREASURER</b>	<b>ABSENT</b>
<b>BRIAN GALLOWAY, SUPERVISOR</b>	<b>PRESENT</b>
<b>JEFF BORASKI, SUPERVISOR</b>	<b>PRESENT</b>

The meeting commenced at 7:05 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Rocco who had a family commitment this evening. Also present were Township Manager Peter Gray, Police Chief William Wilcox, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

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

Mr. Roland Kenney said he thinks the Board of Supervisors should have enacted the Earned Income Tax (EIT) in hopes that the school district would not have to raise taxes. Mr. Kenney said the senior citizens do not think the township did the right thing. He said it is not too late to enact this tax.

Mr. Guido Mariani said he agrees with Mr. Kenney concerning the seniors. He said the EIT is more acceptable to our seniors since the tax only applies to income and not to real estate assets or pensions. Mr. Mariani reminded the board that out of our 34,300 population, 12.7% are 65 years or older in age and 21.8% are between 45 and 64 years of age. Mr. Mariani said that an EIT probably would have avoided a tax increase that was created for a particular program for our Pennsbury students and it would have created a surplus for our Pennsbury School District. He said our Chairman said that he believes the majority of Falls Township residents work within the immediate area of Falls Township. Mr. Mariani spoke of labor force statistics involving employment/unemployment, and what municipalities charge the EIT. He said an EIT in Falls Township would produce millions of dollars of income without a tax increase for the majority of our residents. Mr. Mariani asks why this board is reluctant to pass the EIT. Chairman Harvie said in the discussions they have had, nothing has come up about neighboring municipalities. That has not figured into the conversation. He has not been contacted by anyone. It has pretty much been Mr. Mariani and Mr. Kenney who talk about this topic.



**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 98 MAIN STREET,  
FALLSINGTON, PA – TMP # 13-020-263 – EXTERIOR PAINTING  
AND REPLACE FRONT STEPS AND RAILING**

Member Dence moved to approve the Certificate of Appropriateness for 98 Main Street in Fallsington for exterior painting and to replace the front steps and railing; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 3 MERCER COURT – AMENDED FINAL PLAN – LAND  
DEVELOPMENT – 166-68 LINCOLN HIGHWAY, FAIRLESS HILLS,  
PA – TMP # 13-005-001 AND # 13-005-002**

Manager Gray said this is an amended final plan of land development for Mercer Court, located at 166-68 Lincoln Highway, TMP # 13-005-001 and 13-005-002. Mr. Sullivan said the developer needs eight more units to be 22 ft. wide instead of 20-ft. wide. Chairman Harvie said the developer went through the Zoning Hearing Board and received approval. Member Dence moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Mr. Roland Kenney asked if there would be a traffic light at the entrance/exit to this site. Chairman Harvie said no, and when exiting the site, there is a right-turn only. They had to get PENNDOT approval for all of that because it is a state highway. Member Dence moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Member Galloway moved to approve the amended final plan for Mercer Court, TMP # 13-005-001 and 13-005-002; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 4 CONSIDER PROPOSAL TO PROVIDE SERVICES FOR  
EMERGENCY VEHICLE PRE-EMPTION EQUIPMENT FOR WEST  
TRENTON ROAD AND PINE GROVE ROAD**

Manager Gray said the township has received a proposal from Remington, Vernick, & Beach Engineering to provide services for emergency vehicle pre-emption equipment at West Trenton Road and Pine Grove Road. The cost of the proposal is in the amount NTE \$3,900. Mr. Tom Beach discussed the scope of work to include: preparing base plans of the intersection; revising the permit plan and timing directive to reflect the emergency pre-emption equipment, coordinating with and obtaining approval from PENNDOT, providing PENNDOT with construction plans, and soliciting the quotes for this work. Mr. Beach estimates that construction costs would be about \$10,000. Member Boraski asked if they were just doing this one intersection or if they already had this equipment at nearby intersections. Mr. Beach said this project is for just this one intersection, but they will take a look at the other nearby intersections to see if equipment is already in place at those locations. Member Dence asked if this is more of a problem at large intersections. Chief Wilcox said in an ideal world you would want them at every intersection. Chairman Harvie said this intersection is probably one of the last intersections not to have a pre-emption signal. They have had requests from first responders to have pre-emption equipment at this location. This is something that makes sense in a lot of ways. Member Dence moved to



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approve the proposal from Remington, Vernick, & Beach in the amount NTE \$3,900 for emergency vehicle pre-emption equipment for West Trenton Road and Pine Grove Road; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 5 CONSIDER RESOLUTION FOR THE HIRING OF POLICE OFFICER JAMES SZAMBOTI**

Chief Wilcox said that Mr. James Szamboti just finished the academy in March. He is an excellent candidate, comes with very good credentials, and made it through our process. Member Dence moved to approve Resolution # 14-21 for the hiring of Police Officer James Szamboti; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 6 CONSIDER RATIFICATION OF GYM MEMBERSHIPS FOR RETRO FITNESS FOR THE POLICE DEPARTMENT**

Manager Gray said Retro Fitness has agreed to provide gym memberships for the township at the cost of \$2,700. This complies with Article 14, Section 5 of the police collective bargaining agreement. Chairman Harvie said in the past, they had an agreement with LA Fitness, but this year, LA Fitness declined to offer that agreement with us so the direction Manager Gray was given was to find another gym in Falls Township to help us meet this obligation. Member Galloway moved to ratify the gym memberships for the police department at Retro Fitness in the amount of \$2,700; Member Dence seconded the motion; all board members were in favor. (4-0) Member Dence said in the past they purchased 50 memberships and if the police department did not use all of them, they were opened up to other township employees. Polling the police officers to see who wants memberships makes the most sense. Chairman Harvie asked if they should extend memberships to township employees. Member Boraski said he would be okay if it were opened up in an effort or incentive to lower insurance premiums. There have been years where the 50 memberships have been used and other years there have been three or four that have not been used. Chairman Harvie suggested talking to the health insurance company and asking if they have so many members using the memberships, a certain number of times per years, would they lower the insurance. That might be something they could work out.

**ITEM # 7 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR ORDINANCE AMENDING CHAPTER 203 – ARTICLE IV – SNOW AND ICE EMERGENCIES**

Ms. Lauren Gallagher said this dates back to the issues they had over the winter with removal of vehicles parked in the streets during snow emergencies. It cleans up a lot of that language. If there is a state of emergency declared or even if there is no snow emergency but over 2 inches of snow or ice, vehicles must be removed from the streets immediately. This also removes all information in regard to the wreckers on our duty tow list regarding Chapter 206 which is the next agenda item. Member Galloway moved to authorize advertisement for the ordinance amending Chapter 203, Article IV – Snow and Ice Emergencies; Member Dence seconded the motion; all board members were in favor. (4-0)



**ITEM # 8 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR ORDINANCE AMENDING CHAPTER 206 - WRECKERS**

There is a portion of Section 203 being moved into Section 206. Ms. Gallagher said they discovered that in a state of emergency, there is no procedure outlined in the code so this allows the Chief of Police or designee to call other duty towers so there is an 'all hands on deck' in an emergency situation and in a state of emergency only. It also calls for the on-call wrecker to station at least one vehicle in the township lot so we can dispatch appropriately and it requires them to abide by our fee schedule. This requires the tower to notify the owner of the vehicles as well. Member Dence moved to approve authorization to advertise ordinance amending Chapter 206 – Wreckers; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 9 MINUTES – JUNE 17, 2014**

Member Dence moved to approve the minutes from June 17, 2014; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 10 ENGINEERS REPORT**

Mr. Sullivan gave an update on the road program. The project should be substantially completed by the end of August. The pile drivings for the boat ramp are scheduled to be started by July 28<sup>th</sup>. The contractor expects to be there for two to four days and then the boat ramp will be open for visitors. Member Dence has not been pleased with the road program contractor. They have left the sidewalks blocked. They just stop work at the end of the day and leave with stuff everywhere. Short of babysitting them full time, he doesn't know if there is a whole lot else they can do. The completion date is the end of August. Chairman Harvie said the problems they are having are the same problems they have had elsewhere where it is a nuisance for some time, but then you have better roads for another 40 years. Member Dence said the road contractor's schedule is updated on the website. Member Dence moved to approve the Engineers Report for June, 2014 dated July 11, 2014; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 11 BILL LIST**

Chairman Harvie reviewed the bill list. Member Galloway moved to approve the bill list in the amount of \$2,494,239.28; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 12 EXECUTIVE SESSION – There was no Executive Session held.**

**ITEM # 13 MANAGER COMMENT**



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1. Member Dence moved to implement the Cafeteria Plan for selection of healthcare benefits; Member Galloway seconded the motion; all board members were in favor. (4-0)
2. Member Dence moved to approve Resolution # 14-22 to provide in-kind labor in the amount of \$2,500 for the Bucks County PHS Restoration Project; Member Galloway seconded the motion; all board members were in favor. (4-0)
3. Member Dence moved to approve Manager Gray's recommendation to remove John's Auto Body from the heavy-duty wrecker list and impose a \$50 fine, payable to the township; Member Galloway seconded the motion; all board members were in favor. (4-0)
4. Member Boraski moved to approve Manager Gray's recommendation to impose a \$500 fine (in addition to current \$200 fine) and impose a 30-day suspension to Outlaw Towing/Knights Collision; Member Galloway seconded the motion; all board members were in favor. (4-0)
5. Member Dence moved to approve the Puss & Boots time extension to September 26, 2014; Member Galloway seconded the motion; all board members were in favor. (4-0)
6. Member Dence moved to approve the New Seaview/Lubricycle time extension to October 15, 2014; Member Galloway seconded the motion; all board members were in favor. (4-0)
7. Member Galloway moved to approve escrow release #4 for Mercer Court in the amount of \$123,765.21; Member Dence seconded the motion; all board members were in favor. (4-0)
8. Manager Gray said mylars are ready for Mercer Court.

### ITEM # 14 BOARD COMMENT

Member Dence said there have been a lot of storms lately and numerous power outages throughout the township. It seems to happen more in certain neighborhoods. Fire Marshal Rich Dippolito has asked PECO for a meeting to publicly discuss their long-term infrastructure plan. He doesn't know what will come of it, but would like to hear what they have to say. Member Dence said the Traffic Advisory Council has been meeting once a month and they have targeted one problem intersection where there have been over 100 tickets issued so far. They are actively working and have a lot of good ideas. There are still a couple of spots available if anyone else is interested in volunteering on this board.

Member Boraski - no comment.

Member Galloway – no comment.

Chairman Harvie said the Township Secretary, Rose Molle, has compiled a list of openings on various boards and councils. They hope to be able to make some appointments in August. They will look into getting these openings posted on the township website. Chairman Harvie said there is an issue with people who do not pick up dog waste when they walk their dogs. Ms. Gallagher is looking into our ordinance concerning nuisance animals



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and things of that nature. We are looking into making this a stiffer ordinance and heavier fine. There has been an issue with bamboo and restricting the planting of bamboo. It has become very fashionable and grows quickly, but the problem is that it spreads incredibly fast and is very hard to eradicate. When it gets heavy, it bends all the way down and can cover and block roadways. There is a variety that doesn't spread, but you have to be sure you plant the correct variety. We currently do not have a law that prohibits the planting of bamboo, but we want to get the word out to give people information that you could potentially cause serious problems. Chairman Harvie said the township website will go live very soon. There is an update with regard to North Park and the flooding issue. Some residents of North Park, Elderberry and Thornridge are being made to pay for flood insurance despite people who have lived there for 40 or 50 years and have never seen any flooding. We have been trying to get FEMA to change their maps which we feel are outdated and inaccurate. We had a meeting in this room about four years ago and had another meeting a few weeks ago with FEMA, who told us that the maps for North Park should be changing in September. It should take all of North Park out of the 100-year flood plain. That is very good news. It is a 6-month waiting period before it becomes official. We hope that the residents in North Park will be out of that problem by March. It is not FEMA's job to tell the bank that you are out of the flood plain. You are the one who will have to go to the bank and show them that you are no longer in the flood plain and hopefully they will stop making you pay for flood insurance. The township is also working on the same process for Elderberry and Thornridge to get this changed. There is a Letter of Map Amendment (LOMA) where if you can get a surveyor to come out and survey that your property is above a certain level of elevation, you will be out of the flood plain. Quite a few people have done this already. This is something that we hope we will soon be seeing some success.

Member Dence moved to adjourn the meeting; Member Galloway seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 8:14 p.m.



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Jeffrey Rocco, Secretary