

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JAMES PROKOPIAK, VICE-CHAIRMAN	PRESENT
JONATHAN SNIPES, SECRETARY-TREASURER	PRESENT
PHILIP SZUPKA, SUPERVISOR	PRESENT
DOROTHY VISLOSKY, SUPERVISOR	ABSENT

The meeting commenced at 7:08 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Vislosky who was absent. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Engineer James Sullivan, and Finance Director Mrs. Betsy Reukauf.

Mr. John Petras, Manager of the Falls Township Senior Center, thanked the board for including the senior center renovations into the 2009 budget. Mr. Petras said the future expansion will give the seniors more room for more programs. Mr. Petras said there are several thousand seniors in our area and he hopes to reach out to as many as possible. Mr. Petras requested to meet with Mr. Sullivan to discuss the building expansion.

ITEM # 1 DISCUSSION ON 2009 FALLS TOWNSHIP BUDGET

Chairman Harvie spoke about financial issues that the public is facing as well as the struggling economy. Chairman Harvie requests a one-time plan to consider giving property owners a rebate of \$100 per property and in addition, give a rebate of \$50 from the \$75 business license fee to business owners. This plan would cost about \$1.2M. We are projecting to receive next year \$3M in interest which would cover this cost. The average Falls Township homeowner pays about \$216 per year in property taxes. Member Prokopiak said this is something that would not be automatic and property owners would have to apply for this rebate. There are some property owners who are delinquent in paying their property taxes and they would not be eligible for this rebate. Member Snipes asked how much administrative time would be required by township staff to implement this program. Manager Gray said the time would be minimal. Chairman Harvie hopes to give Manager Gray the authority to implement this plan. Manager Gray said the property taxes are due April 30th at discount, May 31st at face, and June 30th with penalty. He plans to post the rebate notice on the township website as well as the form that would need to be filled out. For those who do not have internet access, folks can request a form from the township. Member Szupka asked where the rebate money would come from. Manager Gray said this money would be taken from the long-term restricted interest account. They anticipate taking the money out when they start paying the rebates. Member Snipes said at the last meeting they spoke about a rebate in business license fees and at the time he felt that it was a good idea, but that it affects a smaller proportion of the township. He is in favor of doing

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this because it benefits the people in the community. Member Snipes said he supports both of these ideas. Member Szupka would still like to see the entire amount of the business license fees to be reimbursed. Member Szupka spoke about a New Jersey car dealership that formed in 1933 and will now go out of business at the end of this year. He said we have done a lot to help at the U.S. Steel site, but there are people and businesses that have been here for 40-50 years and we have to find ways to help them as well. Member Szupka said as we go into the 2009 projects and services we have to look at everything. We have to make sure we can still provide the township employees with the tools they need to do their jobs. Member Snipes asked if they would need to re-advertise the budget if they follow through with these two proposals. Mr. Clarke said the phrase substantial change is for ordinances. Under the Second Class Township Code a budget only needs to be re-advertised when there is a change in revenues or expenditures equal to 10% of the total budget or if there is a 25% change in revenues or expenditures in a major category. The way we do our budget there is no specific category for this. We do not have a rebate or refund program every year. This would be a separate line item. In dealing with this in the past there are not a lot of cases out there that define major category. The only direction we get is from the audit forms that have to be filed with the DCED and it does not list this particular expenditure as a major category. In his opinion, it falls back into the general expense category. Since it is not a 25% change in a major category it would not be required to be re-advertised. Member Prokopiak moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (4-0) Mr. Andy Dell said this is a good idea of what the board is trying to do. He suggested that if a property owner does not want the rebate, they should have the option to donate that amount to a charity. He doesn't think this money will last long in anyone's pocket and suggested that a home heating oil project or a food bank project would be able to provide for those who really need the help. Chairman Harvie said the rebate money would not be automatically sent out and they are aware that some businesses would not apply for this. Mr. Jeff Mourey said the rebate is a good idea and something that people have been talking about for a long time. He said that since we have the tipping fees coming in, this is something that we can do for the people of Falls Township. Mr. Mourey hopes this is something that could be continued in future years as well. Mr. Mourey said the \$50 rebate for business license fees is also a good idea. Chairman Harvie said this is a very fragile position in dealing with this and they have to be very careful. He said there are a lot of other benefits such as trash pickup that township residents get from the Waste Management fees. Member Prokopiak moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (4-0) Member Szupka said if they manage to save money on other budgeted items within the township, he would like to see those extra funds be applied toward this rebate program. Member Szupka asks for everything to be looked at carefully. Chairman Harvie moved that we direct the manager to take the necessary steps to implement this plan in terms of adjusting the budget accordingly as well as drawing up plans with Mrs. Reukauf and the administration to move this forward; Member Prokopiak seconded the motion; all board members were in favor. (4-0)

ITEM # 2 CONSIDER PURCHASE OF NEW VISUAL EQUIPMENT

Mr. Matt Markey spoke about the proposed purchase of new visual equipment. They are having technical difficulty with the current equipment and experience breakdowns on a

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regular basis. The new equipment is expected to last at least 10-12 years. The proposed equipment purchase is taken off of the state bid list and includes a 1-yr. warranty. Mr. Markey also recommends extending the warranty to a 3-yr. period. Two new computers would also need to be purchased. Member Prokopiak moved to approve the purchase of visual equipment for the cable channel to Visual Sound in the amount of \$28,942 for both the equipment as specified as well as the 3-yr. warranty for those products; Member Snipes seconded the motion; all board members were in favor. (4-0) Member Prokopiak moved to approve the purchase of two computers for the new video equipment from Dynamatrix in the amount of \$1,724; Member Snipes seconded the motion; all board members were in favor. (4-0)

ITEM # 3 CONSIDER PURCHASE OF HOLSTERS FOR NEW POLICE HANDGUNS

Detective Max McClintic spoke on the holster needs for the police department. Member Prokopiak moved to award the purchase of police holsters to Witmer Associates, Inc. in the amount of \$7,874.33; Member Szupka seconded the motion; all board members were in favor. (4-0)

ITEM # 4 PUBLIC COMMENT – FIVE MINUTES PER PERSON – FORTY-FIVE MINUTES MAXIMUM

Chairman Harvie welcomed Tim Pullen from Boy Scout Troop 53 to the meeting.

Mr. Roland Kenney said regarding propane and accidents, the National Fire Protection Agency (NFPA) claims more than 6,500 fires and explosions each year, 20,000 emergency room visits, more than \$30M in estimated damage and 30 deaths. Mr. Kenney said that the U.S. Fire Administration and FEMA confirm those figures. These figures only report the most serious accidents that require immediate attention. Mr. Kenney said he agrees with Member Vislosky about Arlen Spector and Mike Fitzpatrick with starting the veteran's cemetery, but Patrick Murphy is the one who finished it. All three of them need to be congratulated. Mr. Kenney spoke about Sergeant Simpson, the Philadelphia policeman who was killed Monday night, and said he doesn't know what it will take to keep dangerous individuals off the streets. Mr. Kenney said every time you see a fireman or police officer in our township thank them because you do not know if they will come home every night. Mr. Kenney asks everyone to please keep all of the policemen and firemen in your prayers. Member Szupka said the sergeant who was killed was the replacement for Sgt. Luczbinski. He said it is a sad state with what is going on.

Mr. Guido Mariani said Mr. Dippolito said he could not enforce the International Fire Code due to architecture. He referred to the architecture where these complaints were made as being townhouses and not multi-family unit dwellings and because they have fire walls he said he cannot enforce the fire code. Mr. Mariani said that Mr. Kenney asked the township for a copy of the declaration and description of the Avenrowe buildings from the township, but he received neither. Mr. Mariani said a declaration of the property describes the building as a structure containing units. It goes on to say that you cannot lessen the support of a building in which other units are located. In the township fire code there is correspondence that suggests when they built this, they were going to use fire separation

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assembly rather than fire walls. Mr. Mariani asked if these units were separated by fire walls. He said the fire marshal said he couldn't find a description under the code for condominium. Mr. Mariani said that is because condominium is a form of ownership, nothing to do with architecture. Mr. Mariani refers him to the Condominium Act. It says that the same thing has to apply for multi-family developments. Mr. Mariani described the differences between various home structures. He said an independent report describes Avenrowe as 82 residential units housed in 22 quad-style condominium buildings. Mr. Mariani asks why the fire marshal will not enforce the fire code and said if he refuses to enforce it, then the Board of Supervisors should pass an ordinance. Chairman Harvie said last week the board members were given a lengthy memo from the fire marshal where he responds to many comments made last week. The fire marshal's opinion is that Mr. Mariani's interpretation is incorrect. He is the second fire marshal to make that recommendation. Chairman Harvie said they have respect for Mr. Dippolito and they regret that he has been brought into this situation. Chairman Harvie said when accusations are made about Mr. Dippolito's integrity as fire marshal, in his opinion, that is definitely outside of permissible behavior. Chairman Harvie told Mr. Mariani that if he has an issue in the Avenrowe community regarding these tanks and enough people at Avenrowe feel strongly about it, they can change the rules at Avenrowe. This echoes what the previous fire marshal says about these codes. Chairman Harvie said he will support the fire marshal with his decision.

Mr. Dick Trimble said he would like the township to send a letter to the FCC about the issue he raised at a previous meeting regarding the cable companies. Mr. Trimble asked if the January Cable Advisory Board meeting could be held in this meeting room and televised.

Mr. Jeff Mourey spoke about the walking path along Penn Valley Road. He said there are areas where the tree roots are breaking up the walkway. There are also trees that need to be cut back so that the streetlights can shine through to light up the walkway. Mr. Mourey said there are a few areas where the water is not properly draining. Chairman Harvie asked if the Shade Tree Commission could take a look at this. There was a break in the meeting at 8:43 p.m. and the meeting reconvened at 8:54 p.m.

ITEM # 5 ENGINEER'S REPORT

Mr. Sullivan gave an update on the progress with the road program. Member Prokopiak moved to accept the October, 2008 Engineer's Report; Member Snipes seconded the motion; all board members were in favor. (4-0)

ITEM # 6 BILL LIST – NOVEMBER 18, 2008

Member Snipes asked about healthcare. Manager Gray said the township renewal period is May of every year. This past May the rates were increased by 13% and that has been the average for the last few years. Member Prokopiak asked if there were any consortiums with other municipalities to try to get better rates. Member Prokopiak moved to approve the November 18, 2008 bill list in the amount of \$1,756,262.25; Member Snipes seconded the motion; all board members were in favor with the exception of Member Szupka who voted no. (3-1) The board went into Executive Session at 9:00 p.m. and the meeting reconvened at 9:27 p.m.

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ITEM # 7 EXECUTIVE SESSION

Mr. Clarke said that while in Executive Session the board discussed matters involving personnel and matters involving contracts with two of the unions here in the township.

ITEM # 8 MANAGER COMMENT

1. Member Prokopiak moved to purchase a copier for the police department from SAAB Office Equipment in the amount of \$4,190; Member Snipes seconded the motion; all board members were in favor. (4-0)
2. The skate park will be open from Saturday, November 22nd through Sunday, November 30th. After November 30th, it will close for the winter months and re-open in the spring. The dog park opening has been rescheduled to Saturday, November 22nd at 11 a.m.

Mr. Gallus Obert wants to know if the township can broadcast the January Cable Advisory Board meeting. He said it is a good opportunity to share what is going on. Chairman Harvie said they can look into Mr. Obert's suggestion. Mr. Obert said that since the township is purchasing new visual equipment, maybe the township can sell the old equipment to Pennsbury School District so they can broadcast their meetings.

ITEM # 9 BOARD COMMENT

Member Prokopiak said it is important to have the input of the various boards but sometimes the outcome may be different than what is discussed at those meetings. It is the Board of Supervisors who ultimately give the final approval. If they broadcast too many different meetings on the township channel, people may miss the Board of Supervisors meeting being broadcast. Member Prokopiak said he agrees with Mr. Trimble that it is time that the FCC investigates the cable companies. He said the cable companies seem to be taking advantage of the digital change-over to convince people to get more expensive broadcasts. Member Prokopiak said the economic stimulus proposal that we spoke about tonight is a good thing. Right now we have the resources to do this. He thanked Chairman Harvie, Member Snipes, Manager Gray and all the board members who worked on that. Member Prokopiak spoke about the road program. Member Prokopiak said in regard to the deregulation letter, he thinks they should also send it to the members of the PUC because they are in the process of holding meetings.

Member Szupka said we did have a couple of people comment on the stimulus package and it was brought up that some people may want to donate the money or not take the money at all. If anyone does not take advantage of it, he wants to see the township not have to touch the whole amount out of the restricted account. That account was started about 11 or 12 years ago and it keeps growing. There are line items that have been budgeted throughout the year. We may not have to use those full amounts and maybe some of that money can be used for the stimulus program. Member Szupka said maybe we would have looked at some projects differently or try to offset some expenses. There is going to be a meeting with the cable companies in early January. Member Szupka said he has had a couple of people request that we have an actual engineer representative from the cable companies at that

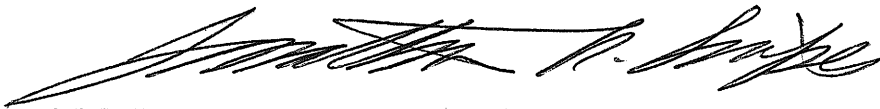
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meeting, not just a salesperson. Member Szupka said to spend time with family on Thanksgiving and be thankful.

Member Snipes said he hopes we will be able to put the rebates in the budget and be able to offer that to the residents next year. Member Snipes said maybe we can look into helping the food banks in our area or take some other action. Member Snipes said that Bucks Food for Friends offers a free shared meal for anyone. This is usually sponsored by a number of churches and it is held on the third Monday of each month. The next Food for Friends meal is scheduled for December 15th at the Quaker Meetinghouse. Anyone can come out for a free meal.

Chairman Harvie said there have been some applications submitted for positions on various boards. Chairman Harvie moved to appoint Joann Cosgrove to the Shade Tree Commission for a term to expire in 2010; Member Prokopiak seconded the motion; all board members were in favor. (4-0) Chairman Harvie moved to appoint Ryan Berry to the Parks and Rec Board for a term to expire in 2009; Member Prokopiak seconded the motion; all board members were in favor. (4-0) Chairman Harvie said the grand opening of the dog park will be Saturday, November 22nd at 11 a.m. Chairman Harvie spoke of a program called Well Now and said this is something they may want to offer to the township employees. This is a program to do screenings and let people know if they may be at risk for certain medical problems and then to help those individuals set up a plan to deal with those situations. By doing so, it may eventually help to lower healthcare costs. Chairman Harvie will distribute information to the board members. Chairman Harvie said we are an economy that is run by consumers and in bad economic times those people stop buying. In those situations the government has stepped in. By pumping money into the economy you are putting money into people's pockets and then those people spend money. Chairman Harvie said we are a township that has a fair amount of money. We can put a little bit of that money back into the pockets of the township property owners and we can also use some money to fund projects. We can afford to do this and not be too frivolous. Chairman Harvie said the holiday house decorating contest has begun. Nominations have to be in by December 19th and winners will be announced in January. Chairman Harvie hopes those who travel over Thanksgiving will be safe and take their time. He said to give thanks for the blessings we have.

Member Prokopiak moved to adjourn the meeting; Member Snipes seconded the motion; all Board members were in favor. (4-0) The meeting was adjourned at 10:02 p.m.



Jonathan Snipes, Secretary