

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

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

The meeting commenced at 7:36 p.m. with roll call and salute to the flag. All Board members were present. Also present were Township Manager Peter Gray, Ms. Barbara Kirk from Rudolph, Pizzo, and Clarke, and Ms. Carrie Konnovitch from CMX.

**ITEM # 1 CONSIDER PURCHASE OF SHADE TREE PLANTINGS**

Manager Gray said the Shade Tree Commission was requested to plant 24 trees, the majority being planted along Mill Creek Parkway. Member Prokopiak moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Andy Dell asked who would water the trees and if the trees had any type of guarantee. Manager Gray said the Public Works Department will handle watering the trees and they will use gator bags as well. There is a one-year guarantee on the trees. Member Prokopiak moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Prokopiak moved to purchase 24 trees from Maples Landscaping for the shade tree planting, in the amount of \$7,200; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 2 CONSIDER APPROVAL OF EQUIPMENT FOR POLICE DEPARTMENT**

Detective Max McClintic spoke about training for the police officers and the need for this equipment purchase. He spoke about converting glocks into training weapons. Member Vislosky asked if this was something that Samzie's might sell. Detective McClintic said that Samzie's is not entitled to carry it. Detective McClintic said by providing this additional training, it gives them another layer to show that they try to give the best training they can for the police officers. Member Prokopiak moved to award the amount NTE \$4,600 to Tactical and Survival Specialties, Inc. for the purchase of training conversion kits as well as safety equipment for the police department; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 CONSIDER APPROVAL OF TOWNSHIP MEMBERSHIP AT LA FITNESS**

Member Vislosky had concerns over paying for more memberships than the police department would actually use. Member Vislosky moved to table this item; Member Szupka seconded the motion. A vote was taken. Member Szupka and Member Vislosky voted yes; Member Prokopiak, Member Snipes, and Chairman Harvie voted no. (2-3) Member Prokopiak said these memberships are being offered at a significantly reduced price. If they did not provide the memberships and give each police officer \$100 as stated in the contract, the police officers wouldn't be able to join anywhere else for \$100 a year. Chairman Harvie spoke about the benefits of having these memberships. Member Vislosky said when they supply extra memberships free of charge to some of the non-uniform members, she feels it discriminates against those who want to go and cannot get in. Manager Gray said the extra memberships are distributed on a first-come, first-serve basis. Chairman Harvie said maybe this is something the board can look at and possibly expand this offer to all employees. Member Prokopiak moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Roland Kenney suggested having a lottery for the non-uniform employees for any remaining memberships that may be available. Mr. Bob Watters asked if this is the first time this has been argued over. Member Szupka said he believes that about eight years ago when L.A. Fitness first opened, this type of offer was available to any township employee. He feels they should have known how many non-uniform employees would be interested before the board had to take action. Mr. Watters said he does not believe there should be any issue with this. Member Prokopiak moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Prokopiak moved to approve entering into an agreement with L.A. Fitness for the purchase of 50 memberships for the township police employees and on a first-come, first-serve basis for the other township employees at the rate of \$5,000; Member Snipes seconded the motion; all board members were in favor with the exception of Member Szupka who voted no and Member Vislosky who abstained from the vote. (3-1-1)

**ITEM # 4 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON FORTY-FIVE MINUTE MAXIMUM**

Mr. Roland Kenney thanked Mr. and Mrs. Reese for the opportunity to help with the Ladies Tea. Mr. Kenney spoke about possible congestion that may occur on the road that leads to Pennsbury manor and the proposed boat ramp. Regarding the Election, Mr. Kenney said the people of Falls have answered the call.

Mr. Bob Watters said Falls Township has been blessed. He said there are still a lot of people in Falls Township who are hurting and losing hope. Mr. Watters proposed to the board to rename the lake at the community park to Lake Hope. He would like to re-dedicate it with clergy.

Mr. Robert Bugter congratulated the winners of the election. He was very happy to see the elections signs removed after the election. Regarding the boat ramp, Mr. Bugter said the plans are in the works, but this is something that will take a while.

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Mr. Andy Dell spoke about the condition of the township building. He said there are cracks in some of the walls and asked if this was going to be repaired. Chairman Harvie said it certainly needs to be looked at. The question for the board is how much work they would need to do.

Mrs. Liz Reese thanked everyone for helping with the 6<sup>th</sup> Annual Ladies Tea. Mrs. Reese especially thanked the gentlemen who served, the MC's, Lucy and Bill, the Ladies Tea committee, the Teen Advisory Board, and those who donated the baskets. It is likely that next year's tea will also be held at the Sheraton. Mrs. Reese said it was great to see the prom decorations at Pennsbury High School.

Mr. Bill Reese said the Annual Kid's Fishing Derby will be held on Saturday, May 23<sup>rd</sup> at the Falls Township Community Park. Registration starts at 7 a.m. and the event will run from 8-10 a.m. followed by awards. Opening Day at the Pinewood Pool will be Saturday, May 23<sup>rd</sup> at 12 noon. The summer camp program for children ages 5-13 will be held at the Fallsington Elementary School from June 29<sup>th</sup> – August 7<sup>th</sup>. The base program runs from 9 a.m. – 4 p.m. and the extended hour program runs from 8 a.m. – 5 p.m.

Mr. Gallus Obert does not think the activities pertaining to the township should be part of public comment. Mr. Obert said two meetings ago he had a request to discuss and question the proposed boat ramp. He said he was not allowed to finish with his comments. During the discussion, Mr. Obert said the chairman stated there would not be any ramp master, but yet it is on the plan. Mr. Obert said if the park closes at sunset, why do they need thirteen lights in the parking lot. Mr. Obert said at the last meeting there was discussion with contractors in regard to Biles Island. He said he did not hear any cost figures and did not see any layouts. Mr. Obert said that island consists of four lakes and he does not know what they will do at that location. Regarding the proposed Quaker Penn Park boat ramp, Mr. Obert said he couldn't believe they went out to bid for something that will not get used. Mr. Obert said according to the plan supplied to him by CMX, if you look at the low water line, it is about 2-3 feet below the low concrete. Mr. Obert asks how people will be able to put a boat in there when you have a 25-ft. trailer. Mr. Obert believes they will continue to have a maintenance problem every few years.

Member Vislosky said she is requesting publicly to have the Williams Tract discussed at the next meeting. Member Prokopiak asked what board action would be needed for this topic. Member Vislosky said she asked if you will permit that to be on the agenda. She said the public would like to hear what happened and why. She is inviting the people of Falls Township to join her in a class-action suit on two items. Member Vislosky said there is an illegal representative from region 3 on the Pennsbury School Board. Member Vislosky said Wayne DeBlasio has moved and lives in region 2. She said the school board has done nothing to remove him and said she has the documentation on that. Member Vislosky spoke of how Linda Palsky saw fit to file a lawsuit against Jack Deithorn and said they went to court to remove him.

Mr. Colin Henderson congratulated Chairman Harvie and Mr. Dence for winning the supervisor race and Mrs. Scarpiello for tax collector. Mr. Henderson said the Board of Elections made a mistake and after Mr. DeBlasio was elected, he was informed of the mistake. It was not his fault; it was something that was out of his control. Member

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Vislosky said she made her point and she knows the people of region 3 are upset to see what happened to Mr. Deithorn.

**ITEM # 5 MINUTES – MAY 5, 2009**

Member Vislosky said the minutes are incorrect. Member Prokopiak moved to approve the minutes; Member Snipes seconded the motion; all board members were in favor with the exception of Member Szupka and Member Vislosky who both voted no. (3-2)

**ITEM # 6 ENGINEER'S REPORT**

Member Prokopiak moved to approve the Township Engineer's report for April, dated May 15, 2009; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 7 BILL LIST – MAY 20, 2009**

Member Vislosky asked about the code enforcement issue on the Rudolph, Pizzo, and Clarke bill. Ms. Kirk said what Member Vislosky is looking at is a summary of the invoices, as prepared by the township. The individual billings have been submitted to Manager Gray summarizing the work that has been done. Ms. Kirk said the code enforcement entry was with respect to the Code Appeals Board that the township is required to maintain. Ms. Kirk said the last six items have to do with land development and these items are not being paid with township funds. Member Vislosky told Manager Gray she would be in the building tomorrow to look at the invoices. Member Prokopiak asked Manager Gray if these invoices were presented to the township as a matter of course from every professional, then itemized and reviewed by the administration. Manager Gray said yes. Member Prokopiak said Mr. Clarke has made the offer many times to sit down with any board member, free of charge, to review his invoices and no one has ever taken him up on his offer. Member Vislosky spoke of Unitech Engineer invoices. Chairman Harvie thanked Ms. Kirk for the information. Chairman Harvie gave a brief breakdown of the bill list. He said contributions from taxes were made to the fire companies, rescue squads and public library. Member Prokopiak moved to approve the bill list of May 20, 2009 in the amount of \$2,414,167.03; Member Snipes seconded the motion; all board members were in favor with the exception of Member Szupka and Member Vislosky who both voted no. (3-2) Member Vislosky said she votes no because they do not separate the professional bills from the ones she would vote to pay and that is all of the staff, police department, and others.

**ITEM # 8 EXECUTIVE SESSION – There was no Executive Session held.**

**ITEM #9 MANAGER COMMENT**

1. Member Vislosky moved to grant the time extension request to Galvanizing Gate North Entrance to June 30, 2009; Member Szupka seconded the motion; all board members were in favor. (5-0)

2. Member Prokopiak moved to accept the letter of extension request from Mariano, 1501 S. Pennsylvania Avenue, for waiver of land development, to August 1, 2009; Member Snipes seconded the motion; all board members were in favor with the exception of Member Vislosky who abstained from the vote. (4-0-1)

#### ITEM #10 BOARD COMMENT

Member Snipes spoke about the Ladies Tea. Member Snipes said only about 15% of the registered voters came out to vote on Election Day. He said it was good to see the community involved. Member Snipes congratulated those who won and to those who did not win, Member Snipes encourages them to stay involved in the community.

Member Szupka said the Pennsbury prom has received recognition on CNN and it is being called “America’s Prom.” Member Szupka said every year they come up with new and better ideas for the parade. Member Szupka said Mr. Obert spoke a few times about the boat ramp. He said Mr. Obert is a Navy man and he knows quite a bit about boating and current flows. Member Szupka said Mr. Obert has an engineering background and when he speaks, Member Szupka trusts what Mr. Obert has to say.

Member Prokopiak said at the last meeting they appointed the township Code Appeals Board. Member Prokopiak said some of the members felt that they may need representation at that meeting. Member Prokopiak moved to appoint Keith Bidlingmeier to the position of solicitor for the township Code Appeals Board at the rate of \$145/hr.; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Vislosky said if she must, she will file a suit to exercise her right to list items on the agenda. She is hoping to get an answer. Member Prokopiak said he is not sure what the request is for on the Williams Tract. The board doesn’t have any action to take on the Williams Tract. It was done a number of years ago when he, Member Szupka, and Member Snipes were on the board. The transaction was done at the township meetings. Member Prokopiak said board agenda items are about taking action in the future. Member Vislosky said there have been things on the agenda that have kept this board here very late. Member Vislosky said she is interested in hearing what Mr. Obert had to say about Biles Island. Member Prokopiak said this is about an issue about the Williams Tract and the last few minutes Member Vislosky was speaking about something other than the Williams Tract. Member Vislosky said she is not going to tell you and you are afraid to have her talk about it. Member Prokopiak said the reason they put things on the agenda that they may not take action on right away, is because it is important to the public and other board members. Member Prokopiak spoke about important things that have been put on the agenda. All board members have the opportunity to speak about these things that impact the community. Member Prokopiak said he is not going to support the Williams Tract on the agenda because he doesn’t know what it is about. The township does not own the Williams Tract and hasn’t for quite some time. Member Prokopiak thanked those who came out to vote. He said decisions are made by those who show up, and those who show up exercise their rights as Americans. Member Prokopiak said for those who were unsuccessful, there are always opportunities in this township to be involved.

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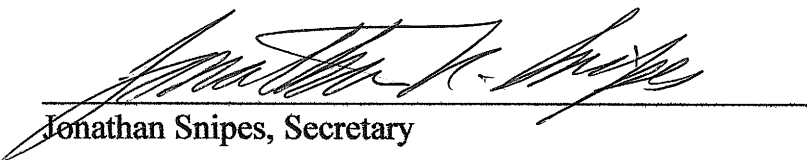
Member Vislosky said she cannot get the Williams Tract as an agenda item. She said she would appeal to the PA Association and to tell them to give her something in writing for her right to have something on the agenda. Member Vislosky said the Williams Tract was valued at \$1M an acre was sold for \$375K. Member Vislosky said the voters told her yesterday to please get that on the agenda. Member Vislosky said she thinks it is a very serious matter and she will do what she must to have a discussion for the public. Member Vislosky spoke of what happened at a meeting several years ago when they were discussing this item at a Board of Supervisors meeting. Member Vislosky spoke of Robert Heddon who was given a short term on the Code of Appeals Board. She said she had no idea that he had the kind of resume that he has. She told him that when his term expires in December, she would vote to appoint him to another full term because she did not know his credentials.

Chairman Harvie said the motion to make Robert Heddon the shorter term was made by Member Vislosky. Chairman Harvie said Mr. Obert brought up the issue of the ramp master and the engineering drawing that had a shed was really done just in case they wanted to build this scenario. It was something that Mr. Jay DeFelicis suggested if the board wanted to pursue it. There were six engineers who were asked to give presentations regarding Biles Island. The action now is that they have to decide their next step and if they would like to have any or all of them make specific proposals that would involve costs. Chairman Harvie said they will not ask for any action at this time, but he would like board members to think about it. With regard to agenda items, all of the board members are presented with written and detailed information so that they can be prepared for the item and consider it. Chairman Harvie said Member Vislosky has already said she is not going to give them that information so he asks why they would then put it on the agenda. Chairman Harvie said smoking has been an issue at the Pinewood Pool. Last year they knew the state was looking to pass a no-smoking law, but the law did not cover facilities like the pool. Chairman Harvie asked if they wanted to ban smoking entirely at the pool or have a certain area for smoking. Member Szupka said if you force everyone to go outside the gate, they will go out and those entering will have to walk through the smoke from those people who are smoking. He believes they should have a designated area with proper receptacles for cigarette butts. Chairman Harvie and Manager Gray have heard concerns about smoking at the pool. Chairman Harvie said they have to consider those who have already purchased memberships and those people thinking they are allowed to smoke anywhere at the pool. Member Prokopiak moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mrs. Bea Stover asked what the rules are at the Oxford Valley Pool. Chairman Harvie said that is a county pool. Mrs. Stover suggested seeing what they are doing in regard to this situation. Ms. Kirk said if you want to enforce a policy, it should probably be done by way of an ordinance. Mr. Gallus Obert said as far as smoking they don't even allow you to smoke on school property. He is concerned about smoke drifting into other areas where non-smokers are sitting. Member Prokopiak moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Prokopiak moved to have administration look into this matter and a possible ordinance to deal with this situation; Member Snipes seconded the motion; all board members were in favor. (5-0) Chairman Harvie said there was an issue raised in regard to the sound at the Falls Township skate board park. CMX is taking a look at this

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and they feel that simply planting trees will not block the sound. CMX proposes to build a berm along that side of the skate park with trees on top of it. A berm will help to redirect the noise a different way. Chairman Harvie said maybe the board can look at this at a future meeting. Chairman Harvie reminded the public about Memorial Day and to remember those who gave the ultimate sacrifice to keep this country where and how it is. The Falls Township Memorial Day Parade will be held on Sunday, May 24<sup>th</sup> at 1:00 p.m. starting at the Pennsbury High School. If any board members are interested in being in the parade, they should contact Mr. Nevin Rovenolt. Chairman Harvie thanked the American Legion Post in Fallsington for all the work they do. He also thanked those people for coming out to vote. On a personal note, Chairman Harvie especially thanked his wife, Mrs. Dence, and their families for their support.

Member Prokopiak moved to adjourn the meeting; Member Snipes seconded the motion; all Board members were in favor. (5-0) The meeting was adjourned at 9:30 p.m.



Jonathan Snipes, Secretary