

**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	PRESENT

The meeting commenced at 7:32 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Vislosky. Member Vislosky joined the meeting at 7:36 p.m. Also present were Township Manager Peter Gray, Township Finance Director Betsy Reukauf, Township Solicitor Edward Rudolph, and Township Engineer James Sullivan. A moment of silence was held in memory of Mr. Bill Loessy, husband of township employee, Mrs. Barbara Loessy.

ITEM # 1 MARIANO/1501 SO. PENNSYLVANIA AVE. – WAIVER FROM LAND DEVELOPMENT – TPN 13-47-84-1

Manager Gray introduced this item. The applicant is represented by Mr. Douglas Maloney. Mr. Jeff Skinner, Project Engineer, was also present. Mr. Maloney presented information on the proposed development of the truck leasing and repair facility. Mr. Skinner spoke about storm water management as well as the crushed stone ground cover. Member Szupka said he is not in favor of waivers and granting preliminary and final approval together, but he realizes the importance for this project to move forward. Member Vislosky said she would abstain and added that Mr. Maloney knows the reason for her abstention. Member Prokopiak moved to approve Resolution # 09-21, waiver from land development for TPN 13-47-84-1; 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) Mr. Rudolph said an abstention needs to be accompanied by at least an explanation as required under the Ethics Law of the Commonwealth of Pennsylvania. Member Vislosky did not provide an explanation for her abstention. She said she is acting under legal advice and to bring her up on charges.

There was a break in the meeting at 7:50 p.m. and the meeting reconvened at 7:52 p.m.

ITEM # 2 2010 BUDGET PRESENTATION AND AUTHORIZE ADVERTISEMENT

Manager Gray gave highlights for the proposed 2010 budget. The tax millage rate would remain at 7.22. The total tax fund is \$17,927,077. The total non-tax fund is \$75,605,569. The total 2010 budget is \$93,532,646. The budgeted spending is projected to be \$36,228,156. Member Vislosky thanked the public for the support they continue to give

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her. She said Falls Township has the lowest tax rates due to the Waste Management agreements and the money that came in from General Motors. Member Snipes asked Manager Gray to explain the \$75M in the non-tax funds. Manager Gray said the non-tax funds include the host community fees, and the capital reserve money. The bulk of that money includes fund balances and savings accounts. A lot of the capital projects get spent out of the non-tax fund. Member Snipes said a large percentage of the budget goes toward street lighting and asked if there was any idea of what the township might save in regard to the LED street lights. Member Prokopiak said they only have about 24 or 25 LED streetlights out of about 2,400 in the township. Each LED streetlight results in about a 50% reduction in energy costs compared to the current streetlights. Member Prokopiak said there is a reduction in real estate taxes, a reduction in transfer taxes from real estate, as well as permit fees due to the downturn in the economy. The revenue streams that fund some of the township projects has shrunk, but they are still able to provide the same level of service to the residents. Member Prokopiak said the biggest item in the township budget is the police portion. A very large amount in the budget goes toward public safety. Member Prokopiak said if you take that and combine it with the fire portion, the lion share of the money goes toward public safety to keep our community safe. Chairman Harvie echoed Member Prokopiak's comments. Chairman Harvie said municipalities are seeing a down-turn in real estate taxes, especially if the property is sold for less than it would have been a few years ago. If people aren't building or remodeling or purchasing as many things, we see a down turn for what goes into the landfill. Chairman Harvie thanked the township staff for their work. Member Vislosky said she noticed that the priorities are not the ones she would organize. Member Vislosky said we spend more money on recreation than we do on the fire companies. Member Vislosky said there is no use in debating here. Chairman Harvie corrected Member Vislosky's statement and said the millage for the fire companies plus fire hydrants is 1.47 mills compared to the Parks and Recreation at 1.26 mils. Plus, there is .5 mils that goes to the rescue squads. Member Prokopiak moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Andy Dell asked if they are going to set aside any money for township building improvements. Chairman Harvie said Manager Gray has looked into doing some things, but right now their priorities are in other places. Mr. Guido Mariani said in looking at the budget, he didn't see what is budgeted for the senior center or the boat ramp. Chairman Harvie said the boat ramp money is in there and held over; they are just waiting for the Army Corps of Engineers to complete their study. Mr. Mariani said the senior center should be self-supporting. He would like to see the senior center renovations removed from the budget. He would prefer to see the present senior center building sold and then plan to have a community center. Mr. Mariani would also like to see the boat ramp removed from the budget. Mr. Mariani spoke of a \$1.1M waterfront project in Bristol Township. Mr. Mariani said when the money coming into the township slows down or stops, we will still have to find the money for maintenance on these projects. Mr. Gallus Obert asked for a copy of the budget. He feels the public should have a copy the night it is presented. Member Prokopiak said until they authorize advertisement of the budget, there are no copies available. After they vote to advertise, copies of the entire budget will be available in the Levittown and Fallsington Libraries, at the township building, and on the township website. Member Prokopiak moved to close public comment; Member Snipes seconded the motion; all board members

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were in favor. (5-0) Member Prokopiak said other municipalities only hand out a three-page document. The Falls Township budget document is a very detailed line-by-line document. Member Prokopiak moved to authorize advertisement of the 2010 preliminary budget; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 3 CONSIDER APPOINTING AUDITOR FOR THE 2009 FINANCIAL AUDIT

Manager Gray said they have three proposals for the 2009 financial audit. They are from Major and Mastro in the amount of \$22,000; Hellman and Co. in the amount of \$22,350; and Mercadien, PC, CPA's in the amount of \$33,500. Member Szupka said he would support changing to Hellman and Co., as they are lower than Mercadien. Member Vislosky said she favors change. She will not vote for Hellman and Co. or Major and Mastro. Member Snipes asked why the Mercadien proposal was a significant amount higher than the first two auditors. Mrs. Reukauf said the higher amount could have something to do with the fact that Mercadian is new to the township and will need additional time to be brought up to speed. Member Prokopiak mentioned that if you look at the Hellman and Co. letter it is not quite what they are looking for. Chairman Harvie said Mercadien agreed to lower their proposal to \$30,000. Member Prokopiak moved to award and appoint the auditor for the 2009 financial audit to Mercadien, PC, CPA's in an amount NTE \$30,000; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER RESOLUTION TO SEND POLICE OFFICER TO POLICE ACADEMY – STEPHEN M. MCCREARY II

Member Prokopiak moved to approve Resolution # 09-22 to send Stephen M. McCreary II to the police academy; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Prokopiak asked the manager to talk to the police chief to see if they want to continue with the consortium test or use their own test. He would like to hear the police chief's input on this.

ITEM # 5 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON FORTY-FIVE MINUTE MAXIMUM

Mr. Roland Kenney said the Avenrowe community lost one of their board members. Mr. Kenney said Lt. Ron MacPherson will be going to Upper Southampton as their new Police Chief. Mr. Kenney spoke about what was written in Member Vislosky's newsletter. He said he was asked by some of Member Vislosky's supporters to suggest to Member Vislosky that she step down from the board and write her book. Mr. Kenney said if someone says something, he wants to see the proof in writing. Mr. Kenney said the 1995 Waste Management agreement was signed by Mr. Almond and Mr. Armstrong; the 2001 Waste Management agreement was signed by Mr. Wilson and Mr. Dayton; and the 2005 Waste Management agreement was signed by Mr. Snipes and Mr. Harvie. He said he doesn't see Mrs. Vislosky's name on any of the agreements. Mr. Kenney said he always gave Member Vislosky credit for doing the first agreement, but he doesn't see it in writing.

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Mr. Guido Mariani spoke about the motivation for a person lying. Mr. Mariani gave some references from the Bible. Mr. Mariani said the statements in Member Vislosky's newsletter simply are not true and it never happened.

Mr. Gallus Obert said October 10, 2009 was the date for the commissioning of the new guided-missile destroyer, USS Wayne E. Meyer. Mr. Obert said neither the Governor nor the Mayor was there. Mr. Obert asked why some of the video and minutes from past meetings were not in the archives on the township website. Mr. Obert said he would like to see additional statistics regarding the township road completion. Mr. Obert wants to hear what the proposed New Falls Road pedestrian walkway will cost. Mr. Obert asked if the engineer gives a verbal or written monthly report. Mr. Obert would like the Board of Supervisors to offer the use of this meeting room to the Pennsbury School District for the purpose of audio-taping their meetings. In regard to leaf collection, Mr. Obert said at one time there used to be a big vacuum vehicle to pick up the leaves. Mr. Obert suggested having one employee vacuum every street gutter in the township. Chairman Harvie said this year they paved twenty-two roads. There are twenty-six roads left to be done in the township. They are looking at doing six in 2010. The roads are on the northern end of Rt. 1. Chairman Harvie said each month the engineer submits a report. As far as the archived meeting files, they are in the process of archiving all of the older supervisor meetings. It is all on tape and even though they are in the process of converting them to digital, it is not a quick process. Member Prokopiak said in regard to the video for the meeting on January 22, 2008, they were still using the old equipment and there was a technical glitch with the video. Right now they only have the audio. Member Prokopiak said the last November meeting will be posted shortly. Mr. Obert asked the video technician to air a close up of the photo of the shield for the USS Wayne E. Meyer.

Mrs. Dorothy Vislosky said she will put some documents on her website. Mrs. Vislosky welcomed Jerry McGory back to the township meetings. Mrs. Vislosky addressed Mr. Kenney's comments. She congratulated Lt. MacPherson on his new appointment in Upper Southampton. Mrs. Vislosky said the 1995 Waste Management agreement was done in her dining room. She said it was mandatory for certain individuals to sign as officers. Member Vislosky said Biles Island was part of the 1995 agreement. Mrs. Vislosky said if Mr. Kenney knows how to read, he should read all of the agreements and he will find the truth if he looks for it. Member Vislosky said the 2005 agreement was just a copy from the two previous agreements. Mrs. Vislosky said Mr. Mariani said motivation for lying is when you are not in touch with reality. She said Mr. Mariani gets a gold star for the lie he told tonight because he did not tell the truth whenever Theresa Katalinas quoted him in the newspaper. Mrs. Vislosky said she spent \$10,000 on a newsletter to try to elect Mr. Mariani. She spoke about Mr. Mariani and the election. Mrs. Vislosky said she will finish the rest of her comments during the board comment part of this meeting.

Mrs. Debbie DeBlasio asked a question for the chairman and solicitor. She said with listening to Mrs. Vislosky speak and not quoting exactly, she believes that Mrs. Vislosky said along the lines that she spent \$10,000 to influence the election to have Mr. Mariani elected in 2007. Mrs. DeBlasio believes that Mrs. Vislosky never filed the required paperwork. Member Vislosky said no, she didn't. Mrs. DeBlasio asked the chairman and

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the solicitor if there is any level of responsibility for when sitting supervisors choose to violate financial reporting law. Chairman Harvie said he believes the law states anyone spending more than \$250 must file with the Board of Elections. Mrs. DeBlasio said she thinks that someone who is not in accordance with following the law is ineligible to be holding office or sworn in to an office. Mrs. DeBlasio said the laws are there for everyone. She said Member Vislosky said on tape that she spent that money and chose to refuse to file the required paperwork. Chairman Harvie told Member Vislosky that comments she makes, actions she takes, and votes she makes or abstains from, are questionable by the public. Chairman Harvie asked Mr. Rudolph if anyone spending \$250 is required to file a finance report. Mr. Rudolph said he would look into this. Member Prokopiak asked for a written opinion to be placed in their packets.

Mr. Andy Dell asked about the decreased Waste Management tipping fees. Manager Gray said they were budgeted for \$12M in 2009 and they estimate about \$9M by year-end. Mr. Dell asked what kind of payments the township receives from the Water and Sewer Authority deal and where the money goes. Manager Gray said he believes they are set to receive a payment very shortly. This is the township's third year out of five years that they are set to receive payments of approximately \$500,000. The authority is paying interest only and at the end of the five-year period, the township should get approximately \$16,000,000. Mr. Dell said he thought there was more than \$35,000,000 in the savings account. Member Prokopiak said it is the long-term restricted savings account, but there is money in other accounts as well. Member Prokopiak said in terms of all the different accounts, he believes it is around \$50,000,000. Mr. Dell asked if there is any way to get information about the agenda topics before they come to the meeting. Manager Gray said the Planning Commission meets the third Thursday of each month. Member Prokopiak said any land development goes before them before it comes to the Board of Supervisors so there is another opportunity for asking questions. Mr. Dell asked how some money would be extracted from the bond money. Mrs. Reukauf said some funds, like bond money, are restricted by legal requirements. They would have to issue notice to the bank and they have to issue notice to the bondholders.

ITEM # 6 MINUTES – NOVEMBER 4, 2009

Member Prokopiak moved to approve the minutes from November 4, 2009 as presented; 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 # 7 ENGINEER'S REPORT

Member Prokopiak moved to approve the Engineer's report dated November 12, 2009 as presented; 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)

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ITEM # 8 BILL LIST – NOVEMBER 17, 2009

Member Prokopiak moved to approve the November 17, 2009 bill list in the amount of \$2,385,318.36; 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 # 9 EXECUTIVE SESSION – There was no Executive Session held.

ITEM # 10 MANAGER COMMENT

1. Manager Gray said the Parks and Rec Department has tickets for sale and information on various winter events.
2. The Annual Falls Township Holiday Spirit House Decorating Contest is underway. Homes should be nominated by December 18, 2009, to the Parks and Rec Department.
3. The Annual Children's Holiday Party will be held on Saturday, December 12th from 3:30 p.m. – 6:15 p.m. at the Three Arches. This is a free event for children and will be followed by the Annual Tree Lighting Ceremony at 6:20 p.m. For more information on any of the Parks & Rec events, please call the Parks and Rec office at 215-949-9000, X220.

ITEM # 11 BOARD COMMENT

Member Snipes said he would not be available to attend the scheduled meeting on December 1st. Member Snipes said he met some folks who were former winners of the Annual Falls Township Holiday Spirit House Decorating Contest and they were happy for this holiday event.

Member Vislosky said she would like Manager Gray to have the three Waste Management agreements replicated and sent to her home in the next packet. She said it is her intention to have Mr. Kenney see them in black and white. Member Vislosky said Mr. Kenney and Mr. Mariani turned on her when she refused to support Mr. Mariani for his second run as Township Supervisor. The moment Mr. Mariani phoned her to tell her he intended to run for the second time, she said she did not react. Member Vislosky said she doesn't know why he never asked how her sister was. Member Vislosky said she will find the tape of what was said and will extrapolate the Bucks County Courier Times article by Theresa Katalinas and read exactly what was said. Member Vislosky said she was asked by Mr. Kenney if she was going to support Mr. Mariani and she said no. Member Vislosky said some people are determined to get her to leave this board. She said she will be going to Florida, but she will be back. Member Vislosky said she reactivated www.vislosky.com and she is changing her e-mail address so people can contact her by e-mail. Member Vislosky said Mrs. DeBlasio runs the Water and Sewer Authority and was previously on the Planning Commission. Member Vislosky spoke about Mr. Mariani and Mr. Kenney and matters that happened at past meetings. Member Vislosky said she is selling almost everything she owns. She said every person she voted for, with the exception of one person, won in the election. Member Vislosky spoke about the Democratic Club. Member Vislosky said she

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met with Waste Management not too long ago. She said the 2001 agreement will last a long time. Member Vislosky said they had a tour of Biles Island on Saturday and she opted not to go. She said she can always arrange a tour of Biles Island.

Member Szupka said he has spoken before about people walking in the street and not using sidewalks. He understands why people do it, but it gets dark outside earlier now and is not safe. He has also heard from one or two of his neighbors about people who wear dark clothing while walking in the street. Member Szupka said he noticed that every year the Halloween costumes get more interesting, but he sees less and less children on his street. He thinks some of the innocence has gone away with some of the holidays. Some traditions are changing and maybe it doesn't affect us here, but the history is there. He hopes we can get it back. Member Szupka spoke about the Mummer's Parade. He said there is a good website, www.savethemummers.com, where you can read the history of the Mummers and also make a donation. There is information on a benefit concert for the Mummers. Member Szupka wished everyone a Happy Thanksgiving and hopes people will enjoy spending time with family.

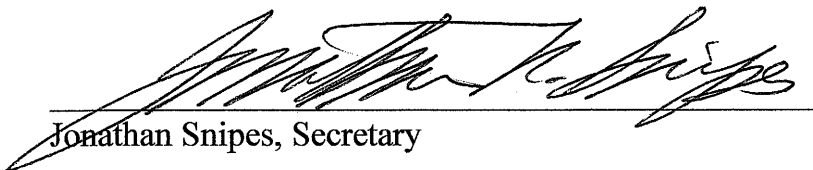
Member Prokopiak said the 2010 preliminary budget will be available for viewing at the Fallsington Library, the Levittown Library, the township building, and on the township website. They will be looking at it during the December 15, 2009 meeting. Member Prokopiak said there is information on the website about the food drive. He hopes people will bring in some canned goods to help those who need help. Member Prokopiak spoke about the idea of implementing a rental registration for those who rent their houses in Falls Township. Member Prokopiak asked Manager Gray to speak with Waste Management about a presentation on the CFL recycling program. Member Prokopiak said the proposed senior housing at the Viking Property behind Penns Grant was continued from November to the December Zoning Hearing Board meeting. Member Prokopiak said there were issues with the open space, parking requirements, and recreation for this project. Member Prokopiak said he thinks the zoning relief they are requesting is something they should not be entitled to. He would like to send representation from the solicitor's office to the next Zoning Hearing Board meeting to express their concerns. Member Prokopiak said we will soon be getting into the census season. The census is important for this township. It is used to determine grant money, allocations for redistricting, and political subdivisions. The more people who participate in the census, the better. Member Prokopiak said following up with what Member Snipes was talking about, in this budget we are talking about over \$300,000 in electric fees paid to PECO for streetlight service. It has increased steadily over the past few years. Member Prokopiak said none of the residents had any concerns about the new LED streetlights. Member Prokopiak would like to consider expanding this program. He would like Manager Gray to look and see if there is a grant available to help with the LED streetlight program. Member Prokopiak wished everyone a Happy Thanksgiving and asks the public to please help with the food drive.

Chairman Harvie spoke about the Annual Falls Township Holiday Spirit House Decorating Contest. Chairman Harvie said Veteran's Day fell after the last meeting. Chairman Harvie thanked the veterans for the service and sacrifices they provided to our country and for everything they have done. He said we are obliged as citizens of this country to live up to

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those sacrifices. Chairman Harvie said during this meeting, some people make legitimate complaints and others only like to hear themselves talk. Chairman Harvie said Biles Island was mentioned. He thanked the individuals from other boards who went to visit Biles Island. The township has proposals from five different engineering firms who are looking to partnership with the township to give us some long-term plans. This may have to wait until January and would allow incoming board member, Jeff Dence, the time to review the information. Chairman Harvie asked if they needed to have the first meeting in December. It was decided the meeting does not have to be held. The next meeting will be Tuesday, December 15, 2009.

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 9:52 p.m.



Jonathan Snipes, Secretary