

Board of Supervisors ~ April 6, 2010
TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JONATHAN SNIPES, VICE-CHAIRMAN	PRESENT
JEFFRY DENCE, 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. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, and Township Engineer James Sullivan.

POLICE PRESENTATION – RECOGNITION OF POLICE OFFICERS AND CITIZENS OF OUR COMMUNITY

Police Chief William Wilcox presented awards for the following:

1. Officer Brian Fisher, Officer David Gold, and Officer Nicholas Pinto who were instrumental in saving the life of an individual who was in full cardiac arrest.
2. Officer Edward Elmore and Officer Jeffrey Omlor who located and took a subject into custody and helped clear a case for the Ocean Township, New Jersey Police Department.
3. Officer Steven Langan, Officer Richard Krotz, and K-9 Tag for the capture and arrest of three individuals who committed a burglary within Falls Township.
4. Sergeant James Jones, III, Corporal John Martin, Detective Catherine Coffman, and Officer Howard Shook who were able to affect an arrest of a subject who was involved in a kidnapping of two individuals in Falls Township. The subject was convicted on all charges in this case.
5. Mr. William Reynolds from Reynolds K-9 Academy was thanked for the generous donation of a bullet-proof vest for K-9 Officer Tag and for his dedicated work over the last several years with the township's K-9 unit.
6. Staff Sergeant Small (Officer Small) thanked the Board of Supervisors for their support while he was deployed with the New Jersey National Guard in Iraq. He submitted Patriotic Employer Awards for Chief Wilcox, PAFT, and Hank and Sue Ward. Staff Sergeant Small read Chief Wilcox's citation.
7. Chief Wilcox read a commendation letter from the Terrorist Screening Center (TSC) in Washington, D.C. in recognition of Officer Trindle's work in apprehending a person who was on the TSC watch list. Chief Wilcox also read a commendation letter from Middletown Township for Officer Trindle's assistance in the investigation and successful prosecution of the person who was responsible for the death of Officer

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Chris Jones. Chief Wilcox said that Officer Trindle does work throughout the entire state and is recognized as an expert in his field.

8. Citizens David Rendiero and Angelo Giuffrida were thanked for their donation toward the township's K-9 program.
9. Congressman Murphy thanked the Falls Township Police Department and all of the First Responders for the valuable service they give to our community every day. He said Congress is one step closer to passing the Daniel Faulkner legislation. Chief Wilcox thanked the Board of Supervisors for all of their support.

There was a break in the meeting at 7:57 p.m. and the meeting reconvened at 7:59 p.m. Chairman Harvie thanked Chief Wilcox and all of the officers for the work they have done over the past year and also those who were awarded this evening. Chairman Harvie thanked Congressman Murphy for attending tonight's meeting.

ITEM # 1 CONSIDER PURCHASE OF TRAFFIC ANALYZER PACKAGE FOR POLICE DEPARTMENT

Sergeant Airey presented information on the proposed purchase of a traffic analyzer package. While this device does not take pictures of license plates, it is a speed-gathering device. Member Szupka moved to authorize the purchase of the traffic analyzer package in the amount of \$1,745; Member Vislosky seconded the motion; all board members were in favor. (5-0)

ITEM # 2 MILL CREEK INN – MILL CREEK ROAD – PRELIMINARY PLAN LAND DEVELOPMENT – TPN 13-40-21 AND 13-40-23

Mr. Doug Maloney, Esq. and Mr. Heath Dumack, Dumack Engineering, represent the applicant, Mr. Joe Bissol, owner of the Mill Creek Inn. Mr. Maloney said the applicant plans to add two small additions to the first floor for a total of 1,260 sq. ft. Other improvements include a complete overhaul of the out-of-date septic system, installation of underground storm-water facilities, and parking improvements. There will be two well-defined driveway entrances and the entire parking and driveway areas will be re-paved. There are six waiver requests which include: Section 191-37B (15 ft. of open space between the curb and building); Section 191-39G (sidewalks along Mill Creek Road); Section 191-52.1B1 (flood plain); Section 191-52.1B3 (steep slopes); Section 191-60 (monuments); and Section 191-62B (curbing along frontage). Member Szupka said he likes the idea of dressing up the area, but he has concern with the waivers. He said the biggest problem he sees is the flood plain, the berms, and the making sure the property is properly marked with the concrete monuments. Mr. Dumack spoke about the flood zone. Mr. Maloney said they did not get any relief from storm-water management or impervious surface. Mr. Maloney said this area will be disturbed during construction. Member Snipes asked about the septic system. Mr. Dumack said the whole system is gravity fed and further explained how this system functions. Member Snipes asked Mr. Sullivan if he had any concerns about water in the area. Mr. Sullivan said the disturbance in the flood plain is not a problem. There will be no change to the actual elevation once they are done. Member

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Snipes asked about the berm. Mr. Sullivan said the berm is outside of the flood plain so there would be no impact on the street. Member Dence said his concern is the lack of curbs and sidewalks. Chairman Harvie said he had similar concerns with the lack of curbing and sidewalks. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Joe Bissol explained his intention for not having the curbing in front of the building. Mr. Gallus Obert said he is amazed at the concern over sidewalks and curbs and mentioned that no one had any concern about sidewalks in a couple other areas of the township. He asked about the purpose of the curbs. He doesn't think that they should have to spend this much time on this item. Member Snipes moved to close public comment; Member Szupka seconded the motion; all board members were in favor. (5-0) Mr. Clarke said this item is for preliminary approval and the board needs to act on this item this evening. Mr. Clarke said if there are concerns about some of the waivers, they can give preliminary approval, but not approve the waivers that they have a concern with and then before the applicant comes back for final approval, ask that the applicant address some of these issues with Mr. Sullivan and perhaps provide additional information to the board that would attempt to satisfy the board's concerns. Member Szupka moved to approve Resolution # 10-06, preliminary land development plan for the Mill Creek Inn, TPN # 13-40-21 & 13-40-23 with the exception of Sections 191-52.1B, 191-52.1B3, and 191-60, granting waivers for Sections 191-37B, 191-62B; Member Snipes seconded the motion. Member Szupka amended his motion to include denying Section 191-39G; Member Snipes accepted the amendment. A vote was taken; all board members were in favor with the exception of Member Vislosky who abstained from the vote. (4-0-1) Member Vislosky said that on advice of council, she is not permitted to express an opinion because of a legal matter. Member Vislosky expressed her dismay with having to hear these plans when they are about to expire.

ITEM # 3 CONSIDER RESOLUTION FOR A.L. PATTERSON – SEWER PLANNING MODULE TPN 13-51-1-19

Mr. Sullivan explained the reason for this sewer planning module request. Member Snipes move to approve Resolution # 10-07 for A.L. Patterson – Sewer Planning Module, TPN 13-51-1-19; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER RESOLUTION SUPPORTING THE APPLICATION FOR THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION FOR GRANT UNDER THE CAI PROGRAM

Manager Gray said this is for traffic signal upgrades at the intersection of New Falls Road and Tyburn Road. Mr. Jerry Baker from Traffic Planning and Design further explained the project. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor with the exception of Member Vislosky who was not present for the vote. (4-0) Mr. Ray Erickson asked if there were any plans to look at the intersection of Rt. 1 and Tyburn Road or Trenton Road and Tyburn Road. Manager Gray said this would be a future item to consider, but not for this year. Mr. Erickson asked if there were any way to put signage in these areas where there is an elevation in the roadways and makes it difficult to see oncoming traffic that is turning. Mr. Gallus Obert said this

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grant is for \$113K. He heard Mr. Baker say it is for LEDs, it will cost less to operate, and this intersection will have a better flow of traffic. Mr. Obert said he cannot imagine how you will get a better flow of traffic and thinks it will still be the same. Mr. Obert asked if they were getting new poles, new conduit, and if they are going to fix the intersection and get rid of the bumps. Mr. Obert said he is not sure what CAI stands for. He does not think this project is a good choice for spending this money. Chairman Harvie said CAI stands for Compact Authorized Investment. The traffic signals that are near Woolston Drive, making a left and going onto Rt. 1, are paid through a grant similar to this. Chairman Harvie said Tyburn Road is a state road and with a state road they will not be ripping up or repairing the roadway. Mr. Baker gave information on this project. He said in order to be considered for the grant, they had to have a project ready. They will not replace the signal poles. They will replace the conduit, wires, signal head, controller, and battery back up. Mr. Baker said the signal will be an actual signal. As it operates today, there is no chance for a left-turn phase. If there is no one in the left-turn lane, there is no reason to enter that phase. Mr. Obert said he cannot see this. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor with the exception of Member Vislosky who was absent from the vote. (4-0) Member Vislosky moved to approve Resolution # 10-08 supporting the application to the Delaware River Joint Toll Bridge Commission for a grant under the CAI program; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER APPOINTING CONFLICT ENGINEER

Chairman Harvie explained the reason for appointment of a conflict engineer. He said there was a need for a conflict engineer a few weeks ago. Member Vislosky asked why they must do this. Member Vislosky and Member Szupka said they did not see a reason for appointing a conflict engineer at this point in time. Member Snipes moved to appoint Remington, Vernick, & Beach Engineers as the conflict engineer, paying the same rate the township is using with T&M Engineers; Member Dence 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 CONSIDER ADOPTING ORDINANCE TO ENROLL IN THE PENNSYLVANIA RETIREMENT MUNICIPAL RETIREMENT SYSTEM FOR PUBLIC WORKS UNION

Manager Gray introduced this item. The township would contribute 5% of the township employees' salaries to this plan. They would be vested immediately. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Gallus Obert asked how many employees are involved in this. Manager Gray said sixteen. Mr. Obert asked if these employees had an existing retirement system. Manager Gray said yes. Mr. Obert was concerned if there were a stock market hit and asked if the township would be responsible in any way. Manager Gray said this is a defined contribution plan. The township would not be accountable if the market goes down. Member Snipes moved to close public comment; Member Dence seconded the motion; all board members were in favor. (5-0) Member Dence moved to approve Ordinance # 10-01

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to enroll in the Pennsylvania Retirement Municipal Retirement System for the Public Works Union; Member Vislosky seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER ADOPTING ORDINANCE AMENDMENT TO CHAPTER 109 – CONSTRUCTION CODES

Member Vislosky said she gets a lot of complaints about the cost for fees. Member Dence moved to approve Ordinance # 10-02, amendment to Chapter 109 – Construction Codes; 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 # 8 CONSIDER APPROVAL OF TOWNSHIP TENANT LEASE – T&M ASSOCIATES

Member Snipes moved to approve the township lease to T&M Associates in the amount of \$16.18 per sq. ft.; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 9 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON FORTY-FIVE MINUTE MAXIMUM

Mr. Roland Kenney thanked Chairman Harvie for the comments he made about Ms. Kim McCarthy and the exhibit at Pennsbury Manor. Mr. Kenney said he is on the board at Avenrowe. On behalf of the residents, Mr. Kenney thanked the gardener, Jerry Kenny of Green Grass, for his help in clearing the snow.

Ms. Lizette Morales-Chomicki said she was happy to hear the commendations for the police department as they are a big supporter of their teen groups and they are always available to help to keep our youth safe and drug free. Ms. Morales-Chomicki extended an invitation to the Board of Supervisors and the community to attend a LYFT event that will highlight the Falls Township Teen Advisory Group, LYFT, the Fight Against Drugs groups, and the Humanity in Progress group. They will also be highlighting all four police departments as well. Ms. Morales-Chomicki said as a community, we need to know how we can support our youth. Ms. Morales-Chomicki said they appreciate the support from Falls Township for listing this on the township website. This event will be held on Thursday, April 22nd at 6:30 p.m. at Pennsbury High School West in the Staff Development Room or Auditorium. Ms. Morales-Chomicki said there will be a future event on the “American Medicine Chest Challenge” about disposal of prescription drugs and of medicines that are not being used.

Mr. Guido Mariani said he believes the \$2M set aside for the senior center renovations is misdirected. Mr. Mariani said he wants to know if we really need to burden the population with what will become a future tax increase. Mr. Mariani said nationwide participation in senior citizen centers is continuing to diminish. Our township would be better served if we sell the present site, and get a community center which all residents can use; not just seniors. He also said an alternative would be geo-thermal heating and cooling for this building which would pay dividends or the township could accumulate these funds with our other funds into an income-producing fund and provide dividends for all of our citizens, not only seniors.

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Mr. Gallus Obert said if you have a computer to check out the new township website. It is clear, concise, and informative. Mr. Obert said a salesman came to his residence trying to sell him windows and siding. Mr. Obert said the gentleman insisted on continuing to solicit at his door. Mr. Obert asked if the township had any rules in regard to soliciting. Mr. Obert continues to ask township residents to attend the school board meetings. He said the 1949 PA State School Code says that the school board shall raise the taxes for what the community can afford. If you don't want to talk to your school board members then don't complain about your taxes going up. Mr. Obert said there are 545 people who set the tax rule and we are getting taken on a sleigh ride. Mr. Obert spoke of how, in 2008, the President did away with the National Day of Prayer. Mr. Obert hopes everyone had a Happy Easter. Manager Gray said he discussed the solicitation matter with Mr. Bennett. The Chief of Police dispatched a Corporal to find out what was going on. Manager Gray said they check each solicitor on an individual basis.

Mrs. Dorothy Vislosky said following up on Mr. Obert's appeal on attending the school board meetings, she can tell you there are three people on that school board who voted to support the taxpayers and the students and voted no to a tax increase. They were Simon Campbell, Kathleen Zawacki, and Allan Weisel. The people who supported the tax increase were Wayne DeBlasio, Gary Sanderson, Linda Palsky, Gene Dolnick, and Howard Goldberg. Mrs. Vislosky asked everyone to get registered to vote this year so they can be in the position to vote in next year's election for school board members who care. Mrs. Vislosky spoke of how only 3,700 people came out to vote. She said we are thousands and thousands short of the ones who could vote, but do not. Mrs. Vislosky said people call her to resolve their fights for them. She has decided to first look at the list of who voted in 2009 and will not donate her time for those people who do not care enough to give one day to their government. Mrs. Vislosky said she commends Mr. Obert because he has been a faithful attendee of those school board meetings. If you don't know where to register to vote contact her at 273 Yardley Avenue in Fallsington. This is your last chance to take over the school board in Pennsbury. It only takes two elections a year and all you have to do is monitor and that is not too much to ask.

Mrs. Melanie-Dody Snipes announced the approach of Earth Day. She said there are a lot of areas to volunteer around the township and the public is also invited to Snipes Farm. They have Earth Day activities from 10 a.m. to 12 p.m. and 1 p.m. – 3 p.m. on Saturday, April 24th. They offer farm summer camps and community-supported agricultural programs.

ITEM # 10 MINUTES – MARCH 16, 2010

Member Vislosky said the minutes are inadequate. Member Vislosky spoke about the Mucci matter. Member Vislosky said Mr. Mucci was arrested, made bail, then he was arrested again. Member Vislosky said it is this board's responsibility to help the citizens. Member Vislosky thanked everyone who helped her to report Mr. Mucci. Member Snipes moved to approve the minutes dated March 16, 2010; Member Dence seconded the motion; all board members were in favor with the exception of Member Szupka who abstained and Member Vislosky who voted no. (3-1-1)

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

ITEM # 12 MANAGER COMMENT

1. Member Snipes moved to approve the new time card swipe system from System ID Warehouse in the amount of \$3,252.65; Member Vislosky seconded the motion; all board members were in favor. (5-0)
2. Manager Gray said there will be an Earth Day and Arbor Day celebration on Sunday, April 25th at the Falls Township Community Park, phase II pavilion from 1-3 p.m.
3. There will be a Teen Bowling Night at Levittown Lanes on Friday, April 23rd from 8-10 p.m. Cost is \$12 per person and includes two games of bowling and shoes.

ITEM # 13 BOARD COMMENT

Member Snipes – No comment.

Member Vislosky said she was going to speak about the Mucci matter. Member Vislosky said these guys got elected because you stayed home and didn't vote. Member Vislosky said she has twelve books that are in partial stages of completion. Member Vislosky said the big contributor is the one who gets the jobs around here. She said the little guy has to pay through the permits and everything he does. Member Vislosky said you haven't heard about Gamesa lately. She also spoke about the KOIZ zone. Member Vislosky said she cooks for senior citizens who cannot afford to eat. Member Vislosky said the Pennsbury School Board knows they messed up with KOIZ. She said Gamesa never produced the 5,000 jobs that were supposed to go to laid off steel workers. Member Vislosky said the Democratic Club is corrupt.

Member Szupka spoke about the recognition of the police department and the first responders. He said it is gratifying to see these people get recognized. Member Szupka said this is a good thing when they started doing this. Member Szupka said the young woman gave a great presentation and the two young boys who raised money for the K-9 program did a great thing. Member Szupka said too many times all you hear about is the younger generation being in trouble and you really don't hear about the ones who try to set a good example. Member Szupka said Staff Sergeant Small was here tonight. He recalls when he was getting actively deployed and thinking about what they would do about other members of the police department and other township employees in case they were deployed. It was not hard to decide what to do about helping him out. Member Szupka said hearing about our men and women who put themselves in harm's way - they should be commended and their families should be taken care of. Their jobs should be available when they come home. Member Szupka wished everyone a good evening and encourages people to drive safe.

Member Dence – No comment.

Chairman Harvie thanked Matt Markey and Manager Gray for the re-design of the township website and making things easier and more accessible for people. Chairman Harvie said the new website is much better and he believes there aren't many websites around that do what

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our website can do. Chairman Harvie said there is a feature called e-notify where residents can sign up to receive various types of information. Falls Township information can also be found on Twitter and Facebook. There are two links to the Publics Works Department and the Police Department where residents can send messages about issues they feel are important such as a burned-out streetlight, tree branch on power lines, or speeding. Chairman Harvie thanked Chief Wilcox for the presentation tonight and Congressman Murphy for stopping by to hand out congressional citations to those individuals who keep us safe.

Member Snipes moved to adjourn the meeting; Member Dence seconded the motion; all Board members were in favor. (5-0) The meeting was adjourned at 10:19 p.m.



Jeffrey Dence, Secretary