

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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| ROBERT HARVIE, JR., CHAIRMAN | PRESENT |
| JONATHAN SNIPES, VICE-CHAIRMAN | PRESENT |
| JEFFRY DENCE, SECRETARY-TREASURER | PRESENT |
| JEFFREY ROCCO, SUPERVISOR | PRESENT |
| BRIAN GALLOWAY, SUPERVISOR | PRESENT |

The meeting commenced at 7:00 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, 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 Fallsington Day, held this past Saturday, turned out to be a nice day. Mr. Kenney said he has been a Democrat all his life. He said in this election, the only Democrat he sees worth supporting is Representative John Galloway. Mr. Kenney said Congressman Mike Fitzpatrick is doing a good job. Mr. Kenney said Representative Casey is nothing like his father. Mr. Kenney spoke about the economy and said it now takes two cents to make a penny. Mr. Kenney said as far as the President and his green jobs, a company that we gave a lot of money to, declared bankruptcy today. He said there are so many kids in colleges who cannot get a decent job. He sees people who make a lot of money and they get food stamps.

Mr. Gallus Obert said he will talk about some maps he brought with him. Mr. Obert said he read a Bucks County Courier Times article a couple of weeks ago regarding Biles Island. Mr. Obert said he did some calculations of figures and said something was not right. Mr. Obert asked why we are spending money on something we don't own. He said Biles Island is 579 acres. Over the years, the geography of Biles Island has significantly changed. In the article, they also spoke about a skating rink. Mr. Obert said there is a place to skate at Lake Caroline and the county chases people away. On the county tax map it shows a proposed bridge and that is where they intend to put the bridge to tie in to Rt. 29. Mr. Obert said we will get all these people coming to this fabulous island, and he wants to know who will pay the salaries and maintenance for Biles Island. He said we already gave away over \$700,000 and wants to know why we are giving away more. Mr. Obert said all of the maps he referenced are available in the township, at the county, or on the website. Mr. Obert said he counts seven lakes. He asked the board to reconsider their decision on this project. Chairman Harvie said the township has not spent \$724,000 on Biles Island. The proposal they recently looked at was about \$48,000 and that was to continue looking for grant money. We asked the state for \$400,000 of grant money and we are going to be getting

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about \$100,000. We will also be getting about \$900,000 from the county. Any money spent so far has been solely on engineering. Chairman Harvie doesn't recall the article from Joan Hellyer that Mr. Obert referred to. He said there really isn't a lot of construction except for building an access road. At this point, we are keeping a pretty good eye at what we are doing and only spending what we need to, in order to get the smallest part of the island ready for people to use. We are looking to add to public recreation. Chairman Harvie said we have put a lot of money into recreation for a lot of different projects and to him, that is a valuable thing. Mr. Obert referred to a map of open space. He asked how much more open space do we want to give to people. Mr. Obert said the cost of the boat ramp compared to the eighty applicants who use it, is not a good ratio.

ITEM # 2 CONSIDER ADOPTING AMENDMENT FOR THE LITTERING ORDINANCE REVISING CHAPTER 120, SECTION 6 –OPTIONAL PAYMENT OF FINE, AND SECTION 7 – VIOLATIONS AND PENALTIES

Mr. Tom Bennett, Zoning Officer, explained the need for this ordinance change. This current ordinance was very out of date; they are bringing this ordinance up to today's standards. Member Snipes asked about the fine of not more than \$500, and how the actual amount of the fine was determined. Mr. Bennett said the amount is determined by the judge. Mr. Bennett said if you fine them \$500, when you go to the judge it could be reduced. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Guido Mariani said when this came up at a previous meeting, he mentioned that in addition to the cost of the fine, the cost of any cleanup should also be addressed. Mr. Mariani questioned the cost of some of the penalties and said this change is not as strong as he would have liked it to be. He asked if the township can pursue this through the DEP if someone dumps something that is caustic. He understands this ordinance, but thinks it is a little weak. Mr. Mariani asked if there is any way we can pursue this under the DEP Title 25. Mr. Clarke said this is an amendment under the township code. All the other codes are available to the township under appropriate circumstances. Mr. Bennett and his staff are not allowed by law to enforce the criminal code or the environmental code. The criminal code can only be enforced by a law agency and thinks some of the environmental codes can only be enforced by the DEP. This is just to beef up the current code. Title 18 cannot be enforced by Mr. Bennett. It can only be enforced by the Police Department. Member Snipes moved to close public comment; Member Dence seconded the motion; all board members were in favor. (5-0) Member Snipes moved to approve Ordinance 2012-4, revising Chapter 120, Section 6 – Optional Payment of Fine, and Section 7 – Violations and Penalties; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 3 CONSIDER ADOPTING AMENDMENT FOR THE SIGN ORDINANCE REVISING CHAPTER 209 – ZONING, SECTION 45 – SIGNS, SUBSECTION (5), OTHER RESTRICTIONS

Mr. Tom Bennett said there are a variety of signs showing up all over the place. This is a way to control and keep some of the signs from being permanent. Chairman Harvie said we

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want to make sure there is no visual pollution of signs everywhere. When you drive around in other towns, there is a visible difference in how some signs are displayed. You see these on the big panel trucks and the trucks that just stay in one spot and do not move. Member Dence moved to approve Ordinance 2012-5, amendment for the Sign Ordinance revising Chapter 209 – Zoning, Section 45 – Signs, Subsection (5), Other Restrictions; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER ADOPTING ORDINANCE AMENDMENT FOR NO SMOKING AT THE TOWNSHIP PLAYGROUNDS AND PAVILIONS REVISING CHAPTER 172

Chairman Harvie explained the circumstance that led to this amendment. He said there was an issue over the summer when two adults got into an altercation and it almost got violent. There was an adult who asked another adult, who was smoking near children, to move away from a playground and the person who was smoking did not want to move. Member Galloway moved to approve Ordinance 2012-7, amendment for No Smoking at the Township Playgrounds and Pavilions Revising Chapter 172; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER ADOPTING AMENDMENT FOR THE CHANGE TO THE UCC ORDINANCE REVISING CHAPTER 109

Mr. Bennett said there was an oversight when this code was written. This is specific for the building codes. Member Galloway moved to approve Ordinance # 2012-6, amendment for the change to the UCC Ordinance revising Chapter 109; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER ADOPTING AMENDMENT FOR THE SHADE TREE COMMISSION ORDINANCE REVISING CHAPTER 79, SECTION 5, AUTHORITY OF COMMISSION

Manager Gray said this change allows the Shade Tree Commission the opportunity to review any land development plans for a developer coming in to Falls Township, comment on those plans and the sites where they will be put in, and anything relating to the trees. The Shade Tree Commission will meet a half hour prior to the start of the Planning Commission meetings. Any comments from the Shade Tree Commission will be reviewed at the Planning Commission meeting that evening. Member Dence said a lot of this started with the Eleanor Roosevelt project. There was a lot of confusion with residents near the school and a lot of this could have been avoided. Member Snipes moved to approve Ordinance # 2012-8, amendment for the Shade Tree Commission Ordinance Revising Chapter 79, Section 5, Authority of Commission; Member Dence seconded the motion; all board members were in favor. (5-0)

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ITEM # 7 MINUTES – SEPTEMBER 18, 2012

Member Snipes moved to approve the minutes from September 18, 2012; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 8 ENGINEER'S REPORT

Mr. Sullivan said the 2012 Road Program is continuing with storm sewer installation. The soccer field renovation began last week. The Falls Township Senior Center project started on Monday. The first thing they are doing is the site work. Next, they will start with a detention basin out front and then move onto the building. The contractor has spread some soil at the Quaker Penn Park Baseball Field. Mr. Sullivan has a meeting with the contractor tomorrow. This field is still on track to be open in the spring. Member Rocco asked about the boat ramps. Mr. Sullivan said as long as the weather holds out, we will leave them in place, but we will probably end up pulling them out at the end of the month. Chairman Harvie said the original plan was to keep the boat ramp open from April 15th to October 15th of each year as recommended by someone in Mr. Sullivan's office. The docks need to come out because they could be damaged if ice comes down the river or there is a bad storm with a lot of debris. Member Snipes said we had a wonderful ground-breaking at the senior center. Member Snipes asked about the start date. Mr. Sullivan said the contractor is on site and started work on Monday. Chairman Harvie said Mr. Sullivan mentioned the rehabilitation of the soccer fields. Member Snipes asked if they are going to sod both fields. Mr. Sullivan said the contractor would prefer to sod. Without any cost change, they will be able to sod both fields. Member Snipes moved to approve the September Engineer's Report dated October 12, 2012; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 9 BILL LIST

Member Galloway moved to approve the Bill List dated October 16, 2012 in the amount of \$1,400,182.71; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 10 EXECUTIVE SESSION

The board went into Executive Session at 7:49 p.m. and the meeting reconvened at 8:14 p.m. While in Executive Session, Mr. Clarke said the board discussed a matter of potential litigation.

ITEM # 11 MANAGER COMMENT

- A. Member Snipes moved to approve the time extension for the Excelon project until December 31, 2012; Member Dence seconded the motion; all board members were in favor. (5-0)

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- B. Member Galloway moved to approve the time extension for the Viking Associates project until December 31, 2012; Member Snipes seconded the motion; all board members were in favor. (5-0)
- C. Member Snipes moved to approve the time extension for the J. B. Hunt Transport project until February 4, 2013; Member Galloway seconded the motion; all board members were in favor. (5-0)
- D. Member Snipes moved to approve the services of Beacon for the period of September 1, 2012 until August 31, 2013 in the amount of \$1,988.50; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 12 BOARD COMMENT

Member Snipes – No comment.

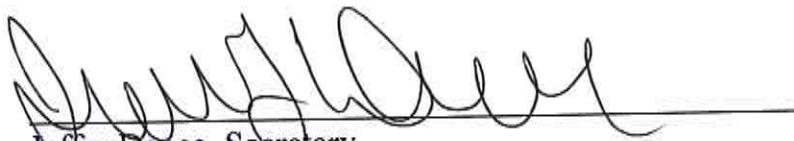
Member Rocco reminded everyone that Tuesday, November 6th is Election Day. He hopes everyone will get out and vote.

Member Galloway – No comment.

Member Dence – No comment.

Chairman Harvie said he attended Historic Fallsington Day on Saturday. He reminded everyone about fire safety and said this is the month when fire companies hold open houses and have fire safety awareness in schools. Chairman Harvie reminds everyone to check their smoke detectors and carbon monoxide detectors and to change the batteries. If anyone needs assistance, they should call their local fire company or the Fire Marshal's office. Chairman Harvie moved to appoint Robert Heddon to the Community and Economic Development Commission for the term which started in 2010 and runs through 2015; Member Dence seconded the motion; all board members were in favor. (5-0) Chairman Harvie said there are more vacancies open on other boards and councils and they will be posted on the township website. Chairman Harvie said the township cable channel and the website are up and running. Manager Gray said Matt Markey has been working on it recently and it seems to be fixed now. Chairman Harvie said the next meeting is scheduled on Election Day. Typically, that meeting is held the day after Election Day. Member Dence moved to hold the next meeting on Wednesday, November 7th; Member Snipes seconded the motion; all board members were in favor. (5-0)

Member Galloway moved to adjourn the meeting; Member Dence seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 8:19 p.m.


Jeffrey Dence, Secretary