

Board of Supervisors – March 24, 2025

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

JEFFRY E. DENCE, CHAIRMAN	PRESENT
ERIN M. MULLEN, VICE-CHAIRPERSON	ABSENT
BRIAN M. GALLOWAY, SECRETARY	PRESENT
JEFFREY M. BORASKI, SUPERVISOR	ABSENT
JOHN W. PALMER, SUPERVISOR	PRESENT

The meeting commenced at 7:00 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Boraski and Member Mullen. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer Joe Jones.

ITEM # 1 EXECUTIVE SESSION

Mr. Clarke said the Board met in Executive Session prior to tonight's meeting to discuss several personnel matters, a matter of litigation and a matter involving a Collective Bargaining Agreement. The Board also met on March 11, 2025 to discuss personnel and litigation.

**ITEM # 2 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON
FORTY-FIVE MINUTE MAXIMUM**

Mr. Bob Jones spoke on behalf of Waste Management. Waste Management will have some changes to put in place for the waste and recycle collection as well as some changes to their collection schedule. This is to improve some service issues they have been having. In late May or early June, Waste Management will start distributing new waste and recycling carts to Falls Township residents. There will still be pick up twice a week but some areas may have a shift in their pickup days. Residents whose pick up days will change will be notified in advance. Chairman Dence said a lot of people may not be happy with the large carts. Mr. Jones said if they do not want the larger cart, they will also offer a smaller cart. Bulk disposal pick up is the second pick up day of the week. There may be a couple of spots in the Township where they will have to use a rear-loaded truck. Mr. Jones said they plan to have public forums to inform residents of the changes, what the carts look like and where to place the cans. Member Galloway asked if residents could get more than one cart. Mr. Jones said yes. There will be two sizes available. Ms. Toni Battiste thought that right now, residents have the option to place up to five cans out for collection. Mr. Jones said the agreement is two cans. Member Palmer asked how big are the totes? Mr. Jones said they are 96 gallons. Ms. Jennifer Metzger said the Levittown Library has the ability to hold public forums at their location. Chairman Dence said that library is not in Falls Township. A person from the audience asked if the new trash collection would result in lost jobs.

Mr. Jones said one of the biggest issues with the way they are currently picking up is they cannot find enough staff to work the back of the trucks. Current employees have the option of getting trained for CDL's and moving into these positions to drive one of these automated trucks. These trucks will operate on compressed natural gas. There will be one 96-gallon cart for recycling or a smaller size cart if the larger carts are too big. Ms. Battiste asked if the Board received a report that the Township paid for, regarding the financial input for the closing of the landfill. When will that be made public? Mr. Clarke said the Board has not acted on that and it is not a public record. Ms. Metzger said she is not following why some things are public and other things are not public. Ms. Metzger asked when the second stadium field at Pennsbury is being looked at. What is the timeframe for decisions to be made? Chairman Dence said the second field was approved a couple of years ago. That was approved when the football field received approval. Ms. Metzger said when we spoke last month, she was under the impression that it was under consideration. Mr. Jones said he misspoke on that. It was part of the land development that was originally submitted and the second field was on those same plans and was already approved in April of 2023. Ms. Metzger said with it being a turf field, she has a problem with water runoff and now they are doing the geological studies for the actual school. Ms. Metzger said this Board was commended on doing certain things such as a Bird Town and then you go ahead and approve the turf field and things that destroy our environment.

**ITEM # 3 CERTIFICATE OF APPROPRIATENESS – 139 YARDLEY AVENUE
TMP # 13-032-039 – REPLACE EXISTING ASPHALT SHINGLE
WITH NEW ASPHALT SHINGLE**

Member Galloway moved to approve the Certificate of Appropriateness for 139 Yardley Avenue, TMP # 13-032-039, to replace existing asphalt shingle with new asphalt shingle; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 4 STARR TOURS – CONDITIONAL USE HEARING – 394 LINCOLN
HIGHWAY, TMP # 13-008-051 & TMP # 13-008-051-00A**

Member Galloway moved to open the Conditional Use Hearing for 394 Lincoln Highway, TMP # 13-008-051 and TMP # 13-008-051-00A. Member Palmer seconded the motion; all Board members were in favor. (3-0) Mr. Clarke said this is a Conditional Use Hearing. The applicant is Starr Tours. The property is located at 394 Lincoln Highway in Fairless Hills, Township of Falls, PA 19030. This is tax parcel number 13-008-051 and 13-008-051-00A. The present zoning is Highway Commercial (HC). This Conditional Use Hearing is to authorize the Use and Occupancy of the above-described property for Starr Tours which would serve as the new corporate headquarters for Starr Tours and would consolidate into one central location. This would consolidate their planning, management and maintenance activities. The advertisement for this Hearing ran in the local newspaper on Tuesday, March 4, 2025 and Tuesday, March 11, 2025. The Code Department has posted the property. A Court Reporter was scheduled for this evening, but they have not yet appeared. We spoke with Mr. Murphy, the applicant's attorney, and he has agreed that we will allow the Court Reporter to do the transcript from the video of tonight's meeting. The applicant is

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represented by Mr. Ed Murphy. If anyone is present who would like party status for this matter, they should come forward to ask for party status. Party status allows you to question the applicant's witnesses and to present any testimony you would want. You will still be allowed to make public comment even if you do not have party status. Party status will allow you to cross-examine any witnesses. No one came forward for party status. Mr. Murphy said this application allows the Borowsky family, who has owned and operated the business for over 75 years from their Hamilton, NJ, to relocate to a location on Route 1 which they would purchase, own and operate. This will be the corporate headquarters of Starr which would include a maintenance component, a planning component, and the fueling component and the storage of certain vehicles. This property is adjacent to the Sunoco gas station and the Faulkner operation on Rt. 1. This is mostly interior renovations, with a less than 500 sq. ft addition for an internal wash bay. Mr. Murphy said they have reviewed the Engineers letter dated February 18, 2025. The Planning Commission recommended approval. This is not a large-scale bus depot. Most of the buses are out on the road. They are intending to clean up the property, especially the buffer in the rear along the neighboring properties. We have addressed concerns about lighting, we have identified and designated specific areas of ingress and egress of the buses, the building will be upgraded and will be harmonious with all of the other buildings in the neighborhood. Mr. Justin Geonnotti (Dynamic Engineering) was sworn in. Mr. Geonnotti agreed with Mr. Murphy's testimony. The property is approximately five acres and is in the Highway Commercial district. It is a largely impervious property currently serving as an automotive repair shop. The proposal involves repurposing of the facility. There is no new impervious. The facility itself already has maintenance bays along the back of the building and they will be converted from car to bus capability. There is employee parking in the front of the property. Along the back of the property there is a double stack of cars being parked near the dilapidated fence line. What is being proposed is a tree buffer. Mr. Murphy said there are multiple levels of cars parked. We will eliminate the closest line of parking so there will be one row of parking going forward. Mr. Peter Borowsky and Mrs. Sandy Borowsky were sworn in. They agreed with the testimony presented by Mr. Murphy. This is a third-generation family business which started in 1947. The main components of their business are tour and travel as well as motor coach. On the tour side of their business those buses are out on the road on multi-day trips. On the side of the business where they are renting buses, these are high-end motor coaches. They transport school groups visiting the East coast. We will pick them up and take them around the area. They also provide buses for university teams and school field trips. Mrs. Borowsky said they now have what they call a college break bus, bringing students home from colleges. Chairman Dence said this is a great business and this will be a good fit here in Falls Township. Member Palmer asked how many employees are moving over. In total, full and part time, there are 100 employees. In the office they have about 30 office staff and 25 full-time drivers. There are 20 tour directors and a maintenance staff of about five. They also do all the tour planning and marketing for Eyre out of Maryland. Member Palmer asked if their buses sit on the lot for a long time when they are out of service. Mr. Borowsky said generally no, because if they are doing their job they are out on the road. If there is maintenance work, they are usually in the garage or maintenance bay and being worked on. Member Palmer asked if they are aware of Pennsbury High School with the traffic flow in the mornings and will you

factor that into your business model? Mr. Borowsky said yes, the nature of their business is they have vehicles coming and going at various times during the day. It is not like a transit operation. Ms. Toni Battiste asked where people park who are going on tours. Mr. Borowsky said they have 12 pickups throughout the region. Mrs. Borowsky said for their tours, it depends on the day. They could have anywhere from 1 car to 15 cars at most. Ms. Battiste asked if they will need overflow parking with the employees. Ms. Borowsky said they won't need overflow parking. They have already done the calculations. Ms. Battiste asked if the buses will be using the entrance off of Rt. 1? Mr. Geonnotti said no, the buses will be coming off of the signalized intersection and into the site. Member Galloway made a motion to close the Conditional Use Hearing; Member Palmer seconded the motion; all board members were in favor. (3-0) Chairman Dence moved to approve the Conditional Use for Starr Tours; 394 Lincoln Highway, TMP # 13-008-051 and TMP # 13-008-051-00A; Member Galloway seconded the motion; all board members were in favor. (3-0)

**ITEM # 5 NP FALLS TOWNSHIP INDUSTRIAL, LLC – PHASE 3
PRELIMINARY/FINAL LAND DEVELOPMENT – 700 S PORT ROAD
– TMP # 13-051-001**

Mr. Mike Meginniss (Begley Carlin) represents the applicant. Mr. Meginniss said we are here to discuss the reconceptualized version of Phase 3 of NorthPoint's development. We were in front of you over a year ago for the old version of Phase 3 which originally depicted four distribution facilities. The site we are looking to develop is approximately 247 acres. This has been revised to depict primarily ten different principal structures ranging from 112,000 to 217,000 sq. ft. in size. After this is built, it will create a digital infrastructure campus. This was approved and there was some environmental work being done at the site and NorthPoint entered into an agreement with a new user which necessitated the redesign and the plan change. These structures will all be one or two stories in height. There will be a significant reduction in traffic. We have a clean review letter from Jones Engineering Associates and we have Mr. Jeremy Michael (NorthPoint) attending remotely. Mr. Eric Clase (Gilmore & Associates) can go through the site plan. Mr. Meginniss said when NorthPoint originally purchased the site, they were estimating about 75% warehousing distribution split with 25% manufacturing. This is not manufacturing but this is in the spirit of diversification of the site. Member Palmer asked how much of the power will the on-site power plant send to the data center. He asked if this is a brown site to a green site and if these are remote access jobs or on site. The positions will require more of a technical background. Chairman Dence asked how many megawatts of data they are talking about. The applicant is working with PECO. This site has surplus electric available. Mr. Jones said they have seen this twice now so they are comfortable with both preliminary and final approval. Mr. Clarke said they have reviewed the plans and they have no comments. Ms. Toni Battiste said if this is using a public utility, will that impact the businesses and residents within Falls Township in cases where there are brownouts or not enough electricity? Chairman Dence said he doesn't know the numbers but he would imagine when U.S. Steel was in operation, it is probably nowhere near what they used. Ms. Battiste said the other thing she wonders about is water and where they are getting the water

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if they are recycling it. Chairman Dence moved to approve Resolution # 2025-11 for NP Falls Township Industrial, LLC, Phase 3 preliminary and final land development, 700 S Port Road, TMP # 13-051-001; Member Galloway seconded the motion; all board members were in favor. (3-0)

ITEM # 6 NP FALLS TOWNSHIP INDUSTRIAL, LLC – PHASE 2 – BUILDING 6 – AMENDING FINAL LAND DEVELOPMENT – 1 BEN FAIRLESS DRIVE – TMP # 13-051-001

Mr. Mike Meginniss said this is an amended final for Building 6. Building 6 was previously approved by the Board. We recently went back to the Zoning Hearing Board in November to seek approval for an accessory structure setback. NorthPoint received approval and constructed the exterior structure itself to facilitate, at the time, what was to be a 1,035,000 sq. ft. facility for distribution. Since then, NorthPoint came to an understanding with the end user and, like we just discussed, this will be designed so the final use will be data rather than distribution. It is very similar in the layout to what the Board previously approved. They received preliminary/final recommendation from the Planning Commission and there are no additional waivers other than a security gate that they are installing. The rest is all will comply. The review letter from Mr. Jones is very simple. Mr. Clarke said we have reviewed this plan. It is a very clean plan and we have no comments. Ms. Jennifer Metzger said you were just asked if we would have the infrastructure for the data that's being required in this area. We already have a problem right now when those of us who are working are trying to get work done during school hours or school days. There is already an issue with PECO browning out or their mini black outs for an hour here and there. What will happen if there really is an issue going forward. Chairman Dence said Mr. Michael reported the amount of power down there that is available is more than they would ever use. They are not getting their power from Dominion; they are getting it right from the grid. A brownout can happen anywhere for any reason. Member Galloway moved to approve Resolution # 2025-12 for NP Falls Township Industrial, LLC, Phase 2, Building 6, amended final land development, 1 Ben Fairless Drive, TMP # 13-051-001; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 7 LOWER BUCKS HOME BUILDERS, LLC – PRELIMINARY/FINAL LAND DEVELOPMENT – FALLSINGTON-TULLYTOWN ROAD – TMP # 13-042-343 THROUGH 13-042-351

Mr. Mike Meginniss represents the applicant, Lower Bucks Home Builders, LLC. He is here with Mr. Eric Clase (Gilmore & Associates). Also present is Mr. Jamie McCaffrey, the equitable owner of a series of ten very small 'movie' lots located along Fallsington-Tullytown Road and roughly 51,000 sq. ft. in size. They went to the Zoning Hearing Board in April to get a variance to facilitate construction consolidating these ten parcels into one usable lot and then construct three contractor garages, two of which will be approximately 4,725 sq. ft. and one will be 5,250 sq. ft. There are underground storm water facilities. This is not a storage facility. They noticed a need for local small business owners to have a need for storing their equipment and materials. There is no traffic generated in this use. There

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are no trucks. It will be utilized by a box truck or van. There is no exterior storage of materials. They have a waiver request from woodlands but if you look at the plan, you can see to the rear of the contractor garages, there is a vegetated buffer between the buildings and the rear of the site on Rt. 13. That will remain untouched. Member Galloway moved to approve Resolution # 2025-13 for Lower Bucks Home Builders, LLC, preliminary and final land development, Fallsington-Tullytown Road, TMP # 13-042-343 through 13-042-351; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 8 CONSIDERATION OF APPROVAL FOR CHANGE ORDER # 4 FOR MYCO MECHANICAL, INC.

Manager Takita said the Board is being asked to consider change order #4 for MYCO Mechanical, Inc. in the amount of \$20,602.26. This is for the addition of gas regulators, grouting of sewer lines, the addition of air drops and an additional sink in the Public Works garage. Member Galloway moved to approve change order # 4 for MYCO Mechanical, Inc. in the amount of \$20,602.26; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 9 CONSIDERATION OF APPROVAL FOR CHANGE ORDER # 5 FOR QPI ELECTRICAL CO., INC.

Manager Takita said this is a change order for QPI Electrical in the amount of \$30,558 for providing circuits to the monument sign, adding additional receptacles and circuits to the site lighting, providing additional data drops and adding additional receptacles in the garage. Ms. Jennifer Metzger asked if the square footage for the building changed. If not, Ms. Metzger asked why this was not part of the original plan. Manager Takita said the square footage has not changed. In certain instances, there were things missed on the plans or additional equipment was provided that was not on the original plan. Ms. Metzger said that is not acceptable. Member Galloway moved to approve the change order for QPI in the amount of \$30,558; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 10 CONSIDERATION OF APPROVAL FOR CHANGE ORDER # 13 & 14 FOR RYCON CONSTRUCTION, INC.

Manager Takita said the Board is being asked to consider these change orders in the amount of \$75,928.68 for Rycon Construction, Inc. This is for changes related to ceilings, a parapet extension on the second floor, replace unreinforced seam in the wall, adding railings for the steps near the door and revision of door locations, provide additional paint and resonant floors in the interview rooms, additional metal framing and partitions as well as furring. These were items that were either not on the plans or they were field revisions based on existing conditions. Member Galloway moved to approve the change order to Rycon Construction, Inc. in the amount of \$75,928.68; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 11 CONSIDERATION OF APPROVAL FOR QUOTE FOR LERRO

Manager Takita said this is a deduct change order in the amount of -\$1,073.12. There was equipment provided in one of the breakrooms that we found was not needed. Member Galloway moved to approve the deduct change order for Lerro in the amount of -\$1,073.12; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 12 CONSIDERATION OF APPROVAL FOR AFSCME CONTRACT

Ms. Gallagher said since the last meeting, they have been able to finalize the AFSCME Contract and the union has signed off on this. This is now ready for the Township's execution. Member Galloway moved to approve the AFSCME Contract; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 13 CONSIDERATION OF APPROVAL FOR AGREEMENT FOR CONSULTING SERVICES FROM PFM GROUP CONSULTING, LLC

Member Galloway moved to table the agreement for consulting services from PFM Group Consulting, LLC; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 14 CONSIDERATION OF APPROVAL FOR A NEW TRUCK FOR THE PUBLIC WORKS DEPARTMENT

Mr. Joe Arnao said this is a 15-ton truck minimum and is a budgeted item. The amount is \$261,070 which is \$40,000 under budget. The chassis build is June or July then it has to go to the upfitter. We hope to get it by the end of the year but it is about nine months. Member Galloway moved to approve the purchase of a truck for Public Works in the amount of \$261,070; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 15 CONSIDERATION OF APPROVAL FOR TWO ZERO TURN LAWN MOWERS

This is for purchase of two zero-turn lawn mowers in the amount of \$21,288.40. Member Galloway moved to approve the purchase of two zero-turn lawn mowers in the amount of \$21,288.40; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 16 CONSIDERATION OF APPROVAL FOR TREE TRIMMING & REMOVAL OF TREE SERVICES BIDS

Member Galloway moved to approve the tree trimming and removal of tree services bids; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 17 CONSIDERATION OF APPROVAL FOR LANDSCAPING BIDS

This is for landscaping and mulch beds for park entrances. The low bidder is WDB. Member Galloway moved to approve the landscaping bid as presented; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 18 CONSIDERATION OF APPROVAL FOR STONE & ASPHALT BIDS FOR 2025-2026

Member Galloway moved to approve the stone and aggregate to Eureka Stone Quarry and the blacktop and binder to Miller Materials; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 19 CONSIDERATION OF APPROVAL FOR PROPOSAL FROM HUMMER TURFGRASS SYSTEMS, INC. FOR MAINTENANCE OF THE COMMUNITY PARK SOCCER FIELDS

There was no action on this agenda item.

ITEM # 20 CONSIDERATION OF APPROVAL FOR NEW LEASE AGREEMENT FOR FAIRLESS HILLS ATHLETIC ASSOCIATION

Member Galloway moved to approve agenda items 20, 21, 22 and 23 for the new lease agreement for the Fairless Hills Athletic Association, Levittown American Athletic Association, Fairless Hills Athletic Association (Von Hoffman Park) and Falls Little League subject to final approval by the Solicitor's office; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 21 CONSIDERATION OF APPROVAL FOR NEW LEASE AGREEMENT FOR LEVITTOWN AMERICAN ATHLETIC ASSOCIATION

See agenda item 20.

ITEM # 22 CONSIDERATION OF APPROVAL FOR NEW LEASE AGREEMENT FOR FAIRLESS HILLS ATHLETIC ASSOCIATION (VON HOFFMAN PARK)

See agenda item 20.

ITEM # 23 CONSIDERATION OF APPROVAL FOR NEW LEASE AGREEMENT FOR FALLS LITTLE LEAGUE

See agenda item 20.

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ITEM # 24 CONSIDERATION OF APPROVAL DONATION REQUESTS FOR LEVITTOWN CONTINENTAL AND FAIRLESS HILLS ATHLETIC ASSOCIATION

Member Galloway moved to approve the donation requests to Levittown Continental and the Fairless Hills Athletic Association (in the amount of \$6,000 each); Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 25 CONSIDERATION OF APPOINTMENT TO THE CABLE ADVISORY BOARD, DISABLED PERSONS ADVISORY BOARD, ENVIRONMENTAL ADVISORY BOARD, HISTORICAL ARCHITECTURAL REVIEW BOARD, HISTORIC PRESERVATION COMMISSION, NEIGHBORHOOD TRAFFIC ADVISORY COMMITTEE, PARKS & RECREATION BOARD, PLANNING COMMISSION, POLICE PENSION COMMITTEE, SHADE TREE COMMISSION AND ZONING HEARING BOARD

There was no action on this agenda item.

ITEM # 26 MINUTES – FEBRUARY 24, 2025

Member Galloway moved to approve the minutes from February 24, 2025; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 27 ENGINEERS REPORT

There were no questions on the Engineers Report.

ITEM # 28 BILL LIST

Member Galloway moved to approve the bill list in the amount of \$3,647,599.10; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 29 OBERMAYER REBMANN MAXWELL & HIPPEL, LLP BILL LIST

Member Galloway moved to approve the Obermayer Rebmann Maxwell & Hippel, LLP bill list in the amount of \$5,368; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 30 CAMPBELL DURRANT, P.C. BILL LIST

Member Galloway moved to approve the Campbell Durrant, P.C. bill list in the amount of \$26,143.58; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 31 JONES ENGINEERING ASSOCIATES BILL LIST

Mr. Clarke said the Second Class Township Code requires that all votes be a majority of the whole and not a majority of the quorum. That is why all votes this evening had to be unanimous to pass. For the last several years Chairman Dence has been abstaining on the Jones Engineering bills because he has a conflict. Under normal circumstances you would be required to abstain this evening as well. The law does recognize that whenever a governing body would be unable to take any action on a matter before it because the number of members of the Board required to abstain from voting under the provisions of the section that is being referenced makes the majority or other legally required vote of approval unobtainable, then such members shall be permitted to vote if disclosures are made as otherwise provided. Chairman Dence has a relative that works for Jones Engineering. Member Galloway moved to approve the Jones Engineering bill list in the amount of \$285,490.65; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 32 MANAGER COMMENT

Manager Takita said the Township building will be closed on Friday, April 18th for Good Friday. On April 19th, there will be a Spring Yard Waste Clean Up day, starting at 6:00 a.m. Also on April 19th, there will be a Free Bulk Disposal Day from 7:00 to 11:00 a.m. for residents and homeowners of Falls Township and Tullytown Borough. This will be held at G.R.O.W.S. Landfill. April 26th is the Medication Take Back and Shredding Event to be held at Pennsbury High School East, 705 Hood Boulevard, from 10:00 a.m. to 2:00 p.m. Additional information can be found on the Township website and social media.

ITEM # 33 BOARD COMMENT

Member Galloway – No comment.

Member Palmer – No comment.

Chairman Dence – No comment.

Member Galloway moved to adjourn the meeting; Member Palmer the motion; all board members were in favor. (3-0) The meeting was adjourned at 8:17 p.m.



Brian Galloway, Secretary