

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

<b>ROBERT HARVIE, JR., CHAIRMAN</b>	<b>PRESENT</b>
<b>JONATHAN SNIPES, VICE-CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFFRY DENCE, 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 7:32 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. Chairman Harvie asked for a moment of silence for Mr. Charles Mazonko who was a Falls Township resident, former Falls Township employee, U.S. Navy veteran, and township volunteer.

**ITEM # 1 LAND AND SEA PROPERTIES PA, LLC – REQUEST WAIVER  
FROM LAND DEVELOPMENT, 400 ROCK RUN ROAD –  
TPN 13-28-62-3**

Manager Gray gave an introduction of this item. Mr. Jeff Skinner represents the applicant, Mr. H. Wade Carden. The applicant plans to build T-shaped storage roofs to cover existing lumber stock piles. Mr. Skinner said this is an 8-acre lot within the Penn Warner Industrial Park. Almost the entire area is impervious surface. The site is sandwiched between two large warehouses, K-Mart and Toys R Us. Commonwealth Wood Preservers is the former owner of this site. Mr. Skinner said they are requesting approval for construction of eight lumber shed storage roofs over the stacks of existing lumber in the yard. They plan to put the roofs directly over the stored lumber. The roof will not change any of the storm water system. They have a small building which will be taken down. The product Land and Sea Properties has stored is untreated southern yellow pine and treated southern yellow pine. Mr. Skinner reviewed the waiver requests which include a waiver from land development and a waiver regarding street trees. They would like to make a donation to the township in lieu of street trees. Member Szupka asked if the applicant were requesting a waiver from a site triangle, Section 191-34D1. Mr. Skinner said that waiver is no longer needed. Member Vislosky asked how much money would be donated in lieu of the street trees. Mr. Skinner said it is approximately \$3,000. Member Vislosky asked how many board feet would be under this roof and if there were any odor to the lumber. Mr. Carden said this is 30,000,000 board feet. They use an environmentally-friendly preservative with a copper-based formula. There is no odor. Member Snipes asked if they would attach the standards of DEP and OSHA permits for treating of wood on the site. Mr. Skinner said yes. Mr. Sullivan had no comments. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Brian Binney said the fire marshal asked for the aisle widths to be changed in certain places to accommodate the fire marshal's concerns. The applicant said they will meet the fire marshal's requirements and gave an

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explanation of what they intend to do. Mr. Binney said they do not want these buildings to be enclosed or used for some other purpose and would prefer some language to be included on the plans. The applicant is prepared to add a note to the plan according to the township's wishes. Mr. Skinner said they are working with the Bucks County Conservation District to get their issues resolved. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Vislosky moved to approve Resolution # 2010-14 for Land and Sea Properties PA LLC, request for waiver from land development, 400 Rock Run Road, TPM 13-28-62-3 with waivers for Sections 191-18.1 and 191-48; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 31 YARDLEY AVENUE – POOL AND FENCE**

Mr. Thomas Jones, property owner, spoke about his plans for a pool and fence at his residence. This project has been reviewed and approved by the Historical Review Board. Member Szupka moved to approve the Certificate of Appropriateness for a pool and fence at 31 Yardley Avenue; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 CONSIDER MUNICIPAL EMPLOYMENT PENSION PLAN AGREEMENT BETWEEN FALLS TOWNSHIP AND THE PA MUNICIPAL RETIREMENT BOARD**

Manager Gray said this item is to approve an agreement for the new pension plan for the Public Works Department and also to advertise an Ordinance change to amend the township's laws to reflect that they have entered into this agreement. Manager Gray said some of the highlights of this change are: retirement at age 60 or early retirement at age 55; members are required to contribute 5% of their salary; currently employees are 100% fully vested; new employees will be vested after eight years of service. This would be effective September 1<sup>st</sup>. Member Vislosky moved to approve the Municipal Employment Pension Plan Agreement between Falls Township and the PA Municipal Retirement Board; Member Szupka seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 CONSIDER AUTHORIZING ADVERTISEMENT OF AMENDMENT TO CHAPTER 74, RETIREMENT**

Member Vislosky moved to approve advertisement of amendment to Chapter 74, Retirement; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 5 APPROVAL FOR TRAFFIC STUDY FOR THE THORNTRIDGE DRIVE/TEA ROSE LANE INTERSECTION TO BE COMPLETED BY TRAFFIC PLANNING AND DESIGN**

Chairman Harvie said the township police department and Traffic Planning and Design have taken a look at this intersection due to complaints about visibility at this intersection. The cost of the traffic study by Traffic Planning and Design is \$2,500. Member Snipes moved to

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open public comment; Member Dence seconded the motion; all board members were in favor. (5-0) Mr. Brian Binney asked if they had to perform a traffic study at this cost every time they wanted to put up a stop sign. Chairman Harvie said they are not allowed to put up stop signs for issues involving speeding and that is not what this is for. PENNDOT requires evidence of why the stop sign needs to be there. Member Snipes moved to close public comment; Member Szupka seconded the motion; all board members were in favor. (5-0) Member Snipes moved to approve the traffic study for the Thornridge Drive/Tea Rose Lane intersection, to Traffic Planning and Design at the cost of \$2,500; Member Dence seconded the motion; all board members were in favor. (5-0)

### **ITEM # 6 CONSIDER ADOPTING AMENDMENT TO CHAPTER 209, ZONING, SECTION 7 - REZONING TPM 13-17-210-001 FROM AQ (AGE QUALIFIED) TO NC (NEIGHBORHOOD COMMERCIAL)**

Member Vislosky said she believes in Age Qualified developments and said we do not need any more commercial developments. Member Dence moved to accept and adopt Ordinance # 2010-03, amendment to Chapter 209, Zoning, Section 7 – Rezoning TPM 13-17-210-001 from AQ (Age Qualified) to NC (Neighborhood Commercial); Member Snipes seconded the motion; all board members were in favor with the exception of Member Vislosky who voted no. (4-1)

### **ITEM # 7 CONSIDER AUTHORIZING NOTICE OF INTENT TO AWARD BID FOR THE FALLSINGTON LIBRARY RENOVATIONS**

Manager Gray said they have a bid from Titanium Enterprises, Inc. in the amount of \$270,787 for the Fallsington Library renovations. It is recommended to reject the bid and then have the Board of Supervisors authorize the township engineer's office to re-advertise this project. Mr. Sullivan said Titanium Enterprises did not include a bid bond with their quote and the consent assurity was missing from their submission. There were also a couple of problems in the math calculations for this bid. Member Vislosky said she thinks the Fallsington Library is as essential to Fallsington as veins and arteries are to the human body. The library is in great need of repair. She wholeheartedly supports this project, but she doesn't want anyone here tonight in support of this project to be dismayed at them rejecting the bid. It makes sense to reject the bid at this time. Member Snipes asked Mr. Sullivan if he expects to receive additional bids for the next round. Mr. Sullivan said they have no reason why they did not receive additional bids, but they will contact some other bidders who may have not had enough time to get their bids together in time for this submission. He will make sure they get two bids the next time. Member Snipes moved to open public comment; Member Szupka seconded the motion; all board members were in favor. (5-0) Mr. Andy Dell asked if they were trying to get contractors to bid on the entire package instead of getting a roofer to do the roof work and other contractors to do other items. Mr. Dell said he would like to at least see the roof get done before there is any more damage to the inside of the building. He thinks they could end up with a lower price if they get several contractors to do this work. Mr. Sullivan said this can be done separately, but they have to go through a bid process. If they do everything separate they have to have separate bid packages and separate bid meetings. Mr. Dell thinks they may get more contractors bidding

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on this if it is broken out. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Vislosky moved to reject the bid from Titanium Enterprises, Inc.; Member Dence seconded the motion; all board members were in favor. (5-0) Member Vislosky moved to authorize the engineer's office to re-bid this project; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 8 CONSIDER LEASE AGREEMENT WITH PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE  
QUAKER PENN BOAT RAMP**

Chairman Harvie introduced this item. He said this lease that they are entering into with the State of PA allows them to build the ramp in the water. This is a necessary step to move forward. This is the last step that the Army Corps of Engineers is waiting for in order for us to get their approval. Member Szupka said he thinks they will have a very large budget for what they are trying to do with traffic. He would rather see money spent on traffic issues and the safety of the residents instead of spending money on an item such as this. Member Vislosky thinks they have higher priorities for the money and she will not support this. Member Snipes asked Mr. Clarke if this were required by the state and if there were anything they should be noting or be aware of. Mr. Clarke said this is a lease agreement with the PA DEP. Because a portion of the ramp will occupy submerged lands of the Commonwealth, they have to enter into this agreement. It will give the township the authority to build the boat ramp, place it, repair it, operate it, maintain it, or move it. Absent of signing this agreement, they would not be able to construct or operate the boat ramp. Member Snipes asked about the phrase, "public trust." Mr. Clarke said this is a catch-all phrase. There are a lot of things that may fall under this category. One of the things they cannot do is to use this as a commercial enterprise. They can still charge a fee, but they cannot allow commercial shipping and fishing operators to use this as their access to the river. Member Snipes moved to enter into the lease agreement with the Pennsylvania Department of Environmental Protection for the Quaker Penn Boat Ramp; 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 # 9 CONSIDER AUTHORIZING ADVERTISEMENT OF AMENDMENT  
TO CHAPTER 168, PARKS, SUBSECTION 15-A (MISCELLANEOUS  
PROVISIONS)**

The township is looking to have a 10-ft. leash law for pets in the township parks. Member Vislosky asked Ms. Fisher, who was in the audience, if a 10-ft. leash seemed appropriate. Ms. Fisher responded yes. Member Snipes said he would be happy to hear comments on this topic from township residents. Member Vislosky moved to authorize advertisement of amendment to Chapter 168, Parks, Subsection 15-A (Miscellaneous Provisions); Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 10 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON  
FORTY-FIVE MINUTE MAXIMUM**

Mr. Brian Binney spoke about the Falls Township Senior Center leasing their space so a vendor could sell small fireworks. He did not think leasing their space for a vendor that sells this type of product was appropriate. Chairman Harvie said he also heard something about this. According to Mr. Bennett, the merchandise being sold was pretty basic, but Chairman Harvie still has concerns. Member Vislosky suggested that before the senior center manager could approve any unusual type of use for this property, they should first check with the township supervisors. Mr. Binney asked the township to remind the senior center to think about who they are leasing space to.

Mr. Mark Smith asked if he had the right to refuse having his new asphalt driveway, concrete sidewalk, concrete apron, and curb ripped up during the 2010 Road Improvement Program. Mr. Sullivan said the program is out to bid. Right now they designed the roadway in front of Mr. Smith's house. The design shows no change to the driveway, however, the apron and sidewalk have to be replaced. Mr. Sullivan said to install the storm sewer system in front of Mr. Smith's home, the road needs to be raised 10". That requires them to replace the curb, apron, and sidewalk. Mr. Smith said he will re-think what he wants to do. Mr. Sullivan offered to sit down with Mr. Smith and other residents. Chairman Harvie asked if there were currently a storm water system at Oxford Road. Mr. Sullivan said there is some, but it is not extensive. There has to be a certain amount of cover on the pipe. Member Vislosky said this is a perplexing problem. She doesn't think it is right to tear up something that is good and it already conforms to the present drainage situation. Member Vislosky said when residents such as Mr. Smith do that kind of improvement knowing it is eventually going to be done by Falls Township, then she feels they owe him some kind of reimbursement. She doesn't know why they are digging up something that is functioning well, when there is no flooding. She thinks the residents should be given a time table of when work will be done. Chairman Harvie said Mr. Clarke is currently working on a resolution which would permit reimbursement of permit fees to residents who have done work, paid for their permits, and then had their roads reconstructed within a certain time frame.

Mr. Andy Dell said he thinks there is a much easier solution. He thinks the office should have a list of when roads will be done. Chairman Harvie said they have that now. Some of the difficulty is that the decision made about which roads to do is between Mr. Arnao and his crew. Then, Mr. Sullivan talks to Manager Gray about a budget. The staff at the Code Enforcement desk may not know right away, but the Code Enforcement desk now has a list of when streets are scheduled to be done within the next couple of years. Member Vislosky said when she was on this board in the 70's, the supervisors had the responsibility of doing the road inspections. There was always the consensus about what roads needed to be repaired and which ones were in the worst condition. Member Vislosky said the road program now seems to be done in a hap-hazard manner. She thinks there has to be a better way to monitor this. Chairman Harvie said right now Mr. Arnao is aware of the condition of the roads and he would rather have him make the decision about what roads need to be done. Chairman Harvie said these are the guys who are out there every day and know better

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than him what roads need to be done. Then they work with the issues of the budget, and issues of location while trying to maximize the contractors. Chairman Harvie said there is an issue with the sharing of that information and it should have been done better. He apologizes for the inconvenience and said they are trying to be better at it. Member Vislosky said she sees nothing wrong with the supervisors being compelled to look at the roads as phase 1 and then have Joe Arnao and the engineer as phase 2. She said her criticism mostly pertains that the residents were not put on notice about what was going to happen.

Mrs. Dorothy Vislosky said she has been attending many meetings to discuss the school board taxes. She told school board members that if they raised taxes this year, she would fight to replace certain members of the board. Member Vislosky said she would like to discuss Wayne DeBlasio sitting on the Pennsbury School Board and representing the wrong region. She said region 2 does not have their quota of representatives and that Wayne DeBlasio belongs in region 3. Mrs. Vislosky said Wayne DeBlasio was the deciding vote for the tax increase this year. She said the Board of Elections in Bucks County sent one letter dated May 21, 2008 to Debbie DeBlasio and one letter to Wayne DeBlasio. They did nothing and the school board did nothing about it. Mrs. Vislosky said there is a lot at stake in the Pennsbury School District and we will see what happens. She predicts it will get much worse unless we do something about it in next year's Primary Election. Mrs. Vislosky said she intends to lead the fight next year to put school board members in the correct region and to elect those who care about the children and the township, not about spending money frivolously.

### **ITEM # 11 MINUTES – MAY 17, 2010 AND JUNE 15, 2010**

Member Snipes moved to approve the minutes from May 17, 2010; Member Dence seconded the motion; all board members were in favor with the exception of Member Szupka who voted no and Member Vislosky who abstained since she was absent from the May 17, 2010 meeting. (3-1-1) Member Dence moved to approve the minutes from June 15, 2010; Member Snipes seconded the motion; all board members were in favor with the exception of Member Szupka who voted no and Member Vislosky who was absent from the June 15, 2010 meeting. (3-1-1)

### **ITEM # 12 ENGINEER'S REPORT**

Mr. Sullivan said bids are due to be received on August 11, 2010 for the 2010 Road Program. A notice of intent to award the bid should occur at the August 17, 2010 Board of Supervisors meeting. The mill and overlay portion is underway. This should be completed by July 30, 2010. Member Snipes moved to accept the June, 2010 Engineer's Report dated July 16, 2010; Member Dence seconded the motion; all board members were in favor. (5-0)

### **ITEM # 13 BILL LIST – JULY 20, 2010**

Member Vislosky said when the necessary bills such as payroll for the staff and police department and the vendors who do business with the township are broken out separately, then she will address the bills. She said she will not be forced to rubber stamp a group of

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bills for the pay to play guys and the other things she objects to for the way they spend their money. Member Vislosky said that is why she constantly votes no for the invoices and said it is ridiculous not to have two sets of bills. Member Snipes moved to approve the bill list for July 20, 2010, in the amount of \$1,841,147.51; 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 # 14 EXECUTIVE SESSION – There was no Executive Session held.**

### **ITEM # 15 MANAGER COMMENT**

1. Evangelical Presbyterian Church at 401 Pinewood Drive is asking for relief from paying permit fees for a new roof installation. Member Vislosky said she thinks our fee schedule is outrageous and to nickle and dime the public and houses of worship is out of line. She wishes they would go a lot further and take a look at the fee schedule. Member Snipes asked Manager Gray if they had reviewed the fees. Manager Gray said they have gone over their fees pretty closely and we are in line with neighboring townships. Manager Gray said Mr. Bennett agreed we are in line with other municipalities. Member Snipes moved to waive the permit fees for the Evangelical Presbyterian Church in Pinewood; Member Dence seconded the motion; all board members were in favor. (5-0)
2. Member Snipes moved to approve the time extension request for the Liberty Towers cell tower project for 9188 New Falls Road to September 30, 2010; Member Dence seconded the motion; all board members were in favor. (5-0)
3. Member Snipes moved to approve the 60-day time extension for the CVA, Inc. preliminary and final land development project to September 20, 2010; Member Dence seconded the motion; all board members were in favor. (5-0)
4. Manager Gray gave information on the discounted rates for the Pinewood Pool.
5. The Summer Concert Series continues at the Falls Township Community Park, Phase 1 pavilion, on Sunday evenings from 6-8 p.m.
6. Manager Gray announced some special events to be held at the Pinewood Pool. They include two teen dances to be held July 22<sup>nd</sup> and August 26<sup>th</sup>, 7:45 – 10:30 p.m. for teens ages 12-16 at \$3 admission. There will also be Family Movie Nights as follows: July 24 – Fantastic Mr. Fox, August 7 – Cloudy with a Chance of Meatballs, August 21<sup>st</sup> – Alvin and the Chipmunks. The Family Movie Nights are free and open to the public. The movie begins at 8:30 p.m. For more information on any of the Parks and Rec programs, please call 215-949-9000, X220, X221, or X222.
7. Manager Gray has GTS mylars ready for signature.

### **ITEM # 16 BOARD COMMENT**

Member Snipes said this meeting has gone well. He has been reading the Biles Island Master Planning handbook and looking at long-range planning for Biles Island. Member Snipes said they have recently had two good discussions; one on traffic issues and one on sidewalks along New Falls Road. He hopes to continue to look at the issue of sidewalks.

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Member Szupka spoke about the meeting they had on traffic issues. There were a lot of concerns brought forth by residents. Some of the plans that were shown can remedy things, but we are working with an older road system and some of the designs that were shown were built from the beginning. Member Szupka thinks it will be costly, but feels they have to do it. A simple thing such as putting in a stop sign might help, as well as putting in raised crosswalks to make people more aware of slowing down. He looks forward to the traffic project moving forward. Member Szupka spoke of the importance of being aware of the heat for yourself, children, the elderly, and your pets.

Member Vislosky wants to discuss the recent traffic meeting. She said she knows that fixing an older road structure and bringing it into this century will cost a lot of money. She would rather see money spent on things that would benefit all of the residents, not just some projects that will benefit a few people who have specialized interests.

Member Dence wanted to echo the statements made by Member Szupka and Member Vislosky in regard to traffic. He said they had an excellent meeting about traffic. Following up on the leash issue, Member Dence said he knows this is a problem. He asks pet owners to control their pets and to be considerate of people who are using the parks.

Chairman Harvie said they have been talking about a couple of issues about traffic and the sidewalks along New Falls Road. He said they have been thinking about how they can address those issues and move forward, if they want to move forward at all. Chairman Harvie said he left a memo for the board members about three issues being raised by township staff members and would like to hear input from the board members. Please contact Chairman Harvie or Manager Gray in regard to those three issues. Chairman Harvie said the Challenger Field construction is underway and should be ready by September so kids can play fall ball. Chairman Harvie thanked Steve DiSangro for working with Mr. Sullivan and to T&M for donating their engineering work. Chairman Harvie said Levittown Continental has lent the township a photo album which chronicles the history of the little league. It is in the conference room in case any board members would like to review it. Mrs. Debbie DeBlasio came forward to speak about Member Vislosky's comments. Chairman Harvie said although Member Vislosky was incorrect in her comments about Mr. DeBlasio, he is not going to allow Mrs. DeBlasio to respond simply because if she were sitting up here and Member Vislosky were standing at the podium, it wouldn't be fair.

Member Dence moved to adjourn the meeting; Member Snipes seconded the motion; all board members were in favor. (5-0) The meeting adjourned at 9:20 p.m.

  
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Jeffrey Dence, Secretary