

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JEFFRY DENCE, VICE-CHAIRMAN	PRESENT
JEFFREY ROCCO, SECRETARY-TREASURER	PRESENT
BRIAN GALLOWAY, SUPERVISOR	PRESENT
JEFF BORASKI, SUPERVISOR	PRESENT

The meeting commenced at 7:02 p.m. with roll call and salute to the flag. All Board members were present. Also present were Township Manager Peter Gray, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

NEIGHBORHOOD TRAFFIC ADVISORY COMMITTEE UPDATE

Mr. Tim Watkins, from the Neighborhood Traffic Advisory Committee, gave an update to the board. He said their group began meeting in May of this year. Their meetings are held on the first Monday of the month. The purpose of the committee is to solicit information from the citizens of the township in regard to any traffic issues. At their initial meeting, they reviewed traffic calming and spoke about ideas they could institute. Unfortunately, what they looked at is that each idea came with a price tag and some things, like speed bumps, could not be easily implemented. Mr. Watkins said there is a Traffic Advisory Committee website and there is a form that the public can fill out to notify the committee and the police of any issues or concerns. They want to improve traffic calming and speeding in the township. Mr. Watkins spoke about some problem areas which include: Lakeside Drive, Lower Thornridge Drive, Alden Avenue, Austin Drive, Queen Anne Drive, Mill Creek Parkway, Stevens Road and Valley Road, Hedgerow Road and Winding Way, and Makefield Road. Mr. Watkins said the police department obtained a PENNDOT grant for traffic enforcement. Over Labor Day weekend, 85 citations were issued for various reasons within the township. There are a lot of troubled areas in the township and, as a board, they are looking at those areas. Member Dence said the report that Mr. Watkins referenced will be on the Traffic Advisory Committee website. Also, the school mentioned along Lakeside Drive is the Charter School, not Walt Disney Elementary School. There are two vacancies on this board if anyone is interested in joining. Chairman Harvie thanked Mr. Watkins for speaking tonight and also thanked the other volunteers on the board along with Lt. Arie. Chairman Harvie thanked Member Dence for his efforts in getting this board started. Lt. Arie explained the semi-portable solar powered radar speed sign recommended by the committee. The idea behind this sign is to purchase this unit, place it on a pole for an extended amount of time, and then move it to another location. The committee also recommended purchase of cloth banners that are about 2-1/2 ft. x 5 ft. which would be

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mounted to light poles in the targeted areas. It would remind drivers that this is a speed zone and to slow down. Member Dence moved to purchase the radar speed sign from All Traffic Solutions in the amount of \$3,414; Member Galloway seconded the motion; all board members were in favor. (5-0) This unit comes with a 1-yr. warranty. They will look at the cloth banners at a future meeting.

**ITEM # 1 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON
FORTY-FIVE MINUTE MAXIMUM**

Mr. Roland Kenney said that initiating an Earned Income Tax (EIT) is the way to go to get the new building paid off. Mr. Kenney asked what was going on with the Three Arches building and if anyone has been checking it out. It has been closed down for five months. Member Dence said park security does regular checks. The Parks and Rec Department are working on a few different ideas and they are having long-term discussions with Pennsbury Manor. Mr. Kenney wished everyone a good evening and said the Eagles won this past week.

Mr. Edgar Lituma referenced an article where it mentioned the township is eligible for \$945,000 of open space money. Mr. Lituma said the township was given a two-year extension until December, 2016. He said we can use that money and asked if the township has to come up with 25% to get the \$945,000. Chairman Harvie said yes. Mr. Lituma said when it is time to do the budget for next year, he would like the board to consider renovation of another two soccer fields. Teams from all over Bucks County come to play on those fields. The newer fields are nice, but some of the other fields need to be upgraded. If you can do something he would appreciate it. Mr. Lituma thanked the board for putting in hot water at the concession stand. In regard to sidewalks on South Olds Boulevard, Mr. Lituma said he previously mentioned this and would like to see something done. He asked if they can paint crossing lines. Cars drive very fast through this area and a lot of people walk in this area. Chairman Harvie asked for Manager Gray to speak with Mr. Arnao. Member Dence said if you go to the township website on the Neighborhood Traffic Advisory Committee link, you can file a complaint and the police will look into this further.

**ITEM # 2 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 116 –
DOGS AND OTHER ANIMALS, SECTION 1 – DEFINITIONS,
SECTION 5 – CURBING OF ANIMALS AND SECTION II –
VIOLATIONS AND PENALTIES**

Chairman Harvie said they asked the solicitor to take a look at this ordinance. It is about dog waste being left behind and people not cleaning up after their animals. It also talks about dogs that continue to make excessive noise. Chairman Harvie said fines range from \$100 to \$300 for Section A, dog waste. For Section B, vicious animals, the fines would be more severe ranging from \$200 to \$1,000. Member Dence said this is not a completely new ordinance; they are making a change to an existing ordinance. Member Dence moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Guido Mariani played a tape recording of a dog barking. He asked if you

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had to listen to that noise from 12:30 a.m. to 3:45 a.m., every night, night after night, would you agree that is a nuisance. Board members agreed it is a nuisance. Mr. Mariani said the owner also said this is a nuisance, but they do not care and they allow it anyway. Mr. Mariani said the current penalties are not sufficient to encourage voluntary responsible pet ownership. The amount of any penalty has to be sufficient to be sure that the owner will act as an effective incentive to compliance to the ordinance. That isn't happening. He would like to see the first offense as \$100, then \$500 for the second offense, and then \$1,000 for the third and any subsequent offenses. It should be clear that continued violations, after the 3rd, 4th, or 5th offense, that the owner has no intention to remedy the problem and would result in removal of the animal causing the nuisance. Mr. Mariani questions the penalty for not removing feces, therefore causing an adjacent property owner to not be able to enjoy their back yard. Mr. Mariani said this is a good ordinance, but it needs to be stronger. He suggested that a copy of the ordinance be given, to be read and understood, by anyone when they apply for a dog license. Chairman Harvie said the township does not hand out dog licenses. That is handled by the county. Chairman Harvie said we have to create fines that we believe will be upheld by the courts. It is a stiffer penalty than it was previously. Member Dence moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Member Dence moved to approve Ordinance # 14-08, amending Chapter 116 – Dogs and Other Animals, Section 1 – Definitions, Section 5 – Curbing of Animals and Section II – Violations and Penalties; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 173 –
PEDDLING AND SOLICITING**

Ms. Gallagher said this is a comprehensive change to the current peddling and soliciting ordinance. Individual property owners can post no soliciting signs on their property. If a solicitor violates that sign, it would be a violation to the ordinance and those solicitors can be cited under this ordinance. The other thing it does is to establish a no-fly list so that residents can submit their name and address to the township to be on this list. When a solicitor comes in to apply for a permit, they would be given that list and the solicitor cannot go onto those property addresses. It also prohibits the solicitor from parking their trucks on residential streets. There will be an opt-out link on the township website to sign up. Chairman Harvie said this does not apply to religious or political speech. This is only for solicitors. We are not allowed to limit political or religious speech. Member Galloway moved to approve Ordinance # 14-09, amending Chapter 173 – Peddling and Soliciting; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 168 –
PARKS, SECTION 10 – ALCOHOLIC BEVERAGES AND CHAPTER
96 – AMUSEMENTS AND SPECIAL EVENTS**

Ms. Gallagher said this ordinance will amend Chapter 168 as well as Chapter 96. The amendment to Chapter 168 would permit the sale, consumption, and distribution of alcoholic beverages in the park if a special events permit is granted. Amendments to

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Chapter 96 would establish certain procedures for the application of all special events and establishing certain criteria under which they will be permitted. It establishes additional criteria if there are alcoholic beverages involved. We need to be concerned about township liability when alcoholic beverages being consumed on township property. It requires them to sign an indemnity form. We also require that they obtain special insurance. Member Boraski asked if it limits so many events per year. Ms. Gallagher said there may only be one event at a time on the premises, but it does not say that an individual vendor can only have so many events per year. Member Rocco asked if the approval is at the discretion of the board. Ms. Gallagher said that is correct. The board has the right to act in the best interest for the health, safety, and welfare of the residents. Only events that pertain to the sale, consumption, and distribution of alcoholic beverages would appear before the board. Chairman Harvie said they are allowing alcoholic beverages under very strict circumstances. This does not allow someone to bring a six-pack to a picnic or a game being held at the park. It will require a hefty fee compared to a normal special event and involves a much more rigorous review process. They are open to different uses to the park and think this might occasionally add an attraction to the park. Member Dence moved to approve Ordinance 14-10, amending Chapter 168 – Parks, Section 10 – Alcoholic Beverages and Chapter 96 – Amusements and Special Events; Member Rocco seconded the motion; all board members were in favor with the exception of Member Boraski who voted no. (4-1)

ITEM # 5 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR ORDINANCE AMENDING THE ZONING ORDINANCE CHAPTER 209, SECTION 7, BY REZONING CERTAIN LANDS IDENTIFIED AT BUCKS COUNTY TMP # 13-024-001 AND 13-020-306 FROM IN – INSTITUTIONAL DISTRICT AND NCR – NEIGHBORHOOD CONSERVATION RESIDENTIAL DISTRICT, RESPECTIVELY, TO AQ – AGE QUALIFIED DISTRICT

Chairman Harvie said this request deals with the St. Joseph the Worker School and Church. Much of the property around the church was purchased by the developer who wishes to put in age-restricted housing. That deal went through almost two years ago. Subsequently, the church closed this past summer and the developer always had an option to purchase the rest of that property. The developer's original plan for the former school and former gym, and now the church, is to rezone the property. We are not approving that rezoning, but just approving the process of authorizing this so that it can be advertised. Ms. Gallagher said there will be a full public hearing. The surrounding properties would be required to receive notification. The property owners will need to be notified. The property itself would need to be posted the week prior to the hearing. This also needs to be advertised in the newspaper, with the developer paying for the advertisement. There will be a full hearing, allowing for individuals to speak and address their favor or opposition. They also have to go before the Planning Commission. Member Rocco asked what is considered age-qualified. Ms. Gallagher said age-qualified is a 55+ community. Ms. Gallagher said there is a small piece of the property where there is a residence on the property now. The bulk of what they are looking at now is zoned as Institutional. If they attempt to go through land development and zoning as it is now, they would need all kinds of relief. Presumably they

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will need much less by rezoning it. Chairman Harvie said he thinks 20% can be sold to people who are outside the age bracket, but there may still be restrictions with children. Member Dence said he feels like he really doesn't know what is going on down there and would like to hear more about this before they proceed. Member Dence moved to table this until they get further information; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER CHANGE ORDER # 1 FOR THE 2013 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM

Manager Gray said the township received a letter from Mr. Sullivan for work on a water main extension on Makefield Road. The cost for this work is \$130,946.95 and will be reimbursed by the Township of Falls Authority (TOFA). Member Galloway moved to approve change order # 1 for the Falls Township Road Program in the amount of \$130,946.95; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2015 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE PENSION PLAN

Member Dence moved to approve the MMO for the Police Pension Plan; Member Galloway seconded the motion. Member Dence moved to amend the motion to approve Resolution # 14-27, establishing the 2015 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$2,234,730; Member Galloway seconded the amended motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2015 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE NON-UNIFORM PENSION PLAN

Member Dence moved to approve Resolution # 14-28, establishing the 2015 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$116,039; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2015 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PUBLIC WORKS PENSION PLAN

Member Galloway moved to approve Resolution # 14-29, establishing the 2015 Minimum Municipal Obligation (MMO) for the Public Works Pension Plan in the amount of \$66,455; Member Dence seconded the motion; all board members were in favor. (5-0)

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ITEM # 10 CONSIDER APPLICATION FOR THE FALL 2014 BARE ROOT TREE PROGRAM

Member Boraski moved to approve the purchase of 40 bare-root trees at the price of \$25 per tree for a total of \$1,000; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 11 MINUTES – SEPTEMBER 2, 2014

Member Dence moved to approve the minutes from September 2, 2014; Member Rocco seconded the motion; all board members were in favor with the exception of Member Galloway who abstained since he did not attend the September 2, 2014 meeting. (4-0-1)

ITEM # 12 ENGINEERS REPORT

Mr. Sullivan gave an update on the boat ramp and the 2013 Road Program. Member Dence moved to approve the August, 2014 Engineers Report dated September 12, 2014; Member Rocco seconded the motion; all board members were in favor. (5-0)

ITEM # 13 BILL LIST

Member Galloway moved to approve the September 16, 2014 bill list in the amount of \$2,689,857.91; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 14 EXECUTIVE SESSION

Ms. Gallagher said the board held Executive Session prior to tonight's meeting. They spoke about a matter of litigation and a personnel matter.

ITEM # 15 MANAGER COMMENT

- A. Member Dence moved to approve the Premium Excavating land development extension to December 31, 2014; Member Rocco seconded the motion; all board members were in favor. (5-0)
- B. Member Galloway moved to approve the Puss and Boots extension until November 28, 2014; Member Dence seconded the motion; all board members were in favor. (5-0)
- C. Member Dence moved to approve the Lubricycle/New Seaview (150 Solar Drive) extension to December 15, 2014; Member Galloway seconded the motion; all board members were in favor. (5-0)
- D. Member Dence moved to approve Resolution # 14-30 for the hiring of Police Officer Ron MacPherson; Member Galloway seconded the motion; all board members were in favor. (5-0)

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- E. There will be a PECO Open House meeting to discuss reliability issues. It will be held on Thursday, September 18, 2014 at 7 p.m. at the Pennwood Middle School.
- F. Manager Gray has mylars ready for the Morrisville Municipal Authority.
- G. Manager Gray said the streetlight bid specs were advertised last Friday. There will be a bid opening on October 3, 2014.
- H. Member Rocco spoke about Verizon coming back to spread topsoil in some areas as well as planting of some grass seed.

ITEM # 16 BOARD COMMENT

Member Rocco – no comment.

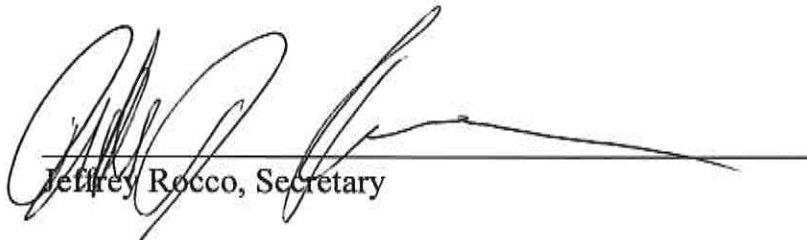
Member Dence – no comment.

Member Boraski – no comment.

Member Galloway – no comment.

Chairman Harvie said a township resident had a request for the Public Works Department to replace some street lights. The resident was very appreciative that they were replaced in a timely manner. Chairman Harvie thanked Mr. Arnao and the Public Works Department for their work. Chairman Harvie announced the 200th Anniversary of the writing of the Star Spangled Banner by Francis Scott Key. Chairman Harvie thanked board members and professionals for their work in putting together tonight's agenda. Chairman Harvie wished a Happy Rosh Hashanah to our Jewish residents. Chairman Harvie announced an upcoming event for the Levittown Fire Co. No. 1. Jerry Blavat will perform on Saturday, October 11th from 7 p.m. to midnight. Tickets are \$35 each and are only available in advance. For tickets or more information, please call 215-945-4231 or 215-791-1309.

Member Dence moved to adjourn the meeting; Member Rocco seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 8:21 p.m.



Jeffrey Rocco, Secretary