

**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 7:02 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Vislosky. Member Vislosky joined the meeting at 7:20 p.m. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, and Township Engineer James Sullivan.

ITEM # 1 CONSIDER RESOLUTION TO APPROVE, ADOPT, AND PLACE INTO IMMEDIATE EFFECT THE UPDATED EMERGENCY OPERATIONS PLANS

Chairman Harvie said the township has an emergency plan in place for a host of emergency situations that could occur in the township. Periodically, it has to be ratified by the board and the county has to be notified that we do have this in place. Member Snipes moved to adopt Resolution # 2011-11 to adopt and place into immediate effect the updated emergency operations plan; Member Szupka seconded the motion; all board members were in favor. (4-0) (Member Vislosky not present for the vote.)

ITEM # 2 CONSIDER APPROVAL OF ADVERTISEMENT OF CODE AMENDMENT TO CHAPTER 209, TABLE 1 (SINGLE FAMILY DETACHED DWELLING BY DISTRICT)

Chairman Harvie said this change would affect the Nottingham section of Fallsington. Mr. Tom Bennett said the residents seemed pleased with the proposed plan. This will be heard at the Bucks County Planning Commission on June 20th. Member Szupka moved to authorize advertisement of code amendment to Chapter 209, Table 1 (Single Family Detached Dwelling by District); Member Snipes seconded the motion; all board members were in favor. (4-0) (Member Vislosky not present for the vote.)

ITEM # 3 CONSIDER MEMORANDUM OF UNDERSTANDING BETWEEN TULLYTOWN BOROUGH AND FALLS TOWNSHIP REGARDING A MUNICIPAL BOUNDARY LINE

Chairman Harvie said the township is looking to engage in a Memorandum of Understanding with Tullytown in regard to the municipal boundary line. There will be engineers looking at this to see where the boundary is. If there are any corrections to be made, it will be made going forward. Mr. Sullivan said they have agreed upon a procedure to determine where the boundary is by using aerial photographs. Member Szupka asked if the cost of this work will be split. Chairman Harvie said yes, the price of \$12,000 will be

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evenly split between Falls Township and Tullytown. Member Snipes asked if there would be field surveying. Mr. Sullivan said there will be field surveying. Member Snipes asked how they determine the old boundary which is under a landfill that could be constantly shifting. Mr. Sullivan said that is where the aerial photograph would come into play. There are some markers in the field, but they are in dispute at this time. Member Snipes moved to adopt the Memorandum of Understanding between Tullytown Borough and Falls Township regarding a municipal boundary line; Member Dence seconded the motion; all board members were in favor. (4-0) (Member Vislosky not present for the vote.)

ITEM # 4 CONSIDER APPROVAL OF TOWNSHIP MEMBERSHIP FOR L.A. FITNESS

Member Dence moved to approve fifty L.A. Fitness memberships in the amount of \$5,000 to be used by the police department; Member Szupka seconded the motion; all board members were in favor. (4-0) (Member Vislosky not present for the vote.)

ITEM # 5 PUBLIC COMMENT - FIVE MINUTE LIMIT PER PERSON FORTY-FIVE MINUTE MAXIMUM

Mr. Roland Kenney sent his condolences to Mr. Reese on the passing of his mother. Mr. Kenney thanked Chief Mike McClellan from Falls Township Fire Company, Station 30, for their quick response time to a fire call at Avenrowe. Mr. Kenney said people have been asking him about another trip to Waste Management. He thinks there will be a trip in August.

(Member Vislosky joined the meeting at 7:20 p.m.)

Mr. Kenney said he was glad to hear Member Vislosky say nice things about her daughter at the last meeting. Member Vislosky told Mr. Kenney not to speak about her or her family. Mr. Kenney asked why the chairman allowed the three young people who were fired to complain at the last meeting and not direct them to speak with Manager Gray. Chairman Harvie said the three young people were not fired; there was a hiring process and they were not chosen to come back. Chairman Harvie said Manager Gray was very much involved in that decision. Mr. Kenney said the township says the Avenrowe property line and the right of way are one in the same. Mr. Kenney said some trees are on Avenrowe property and some are on township property. Other trees are on the property line, making them boundaries or line trees. That would require mutual consent to remove them. Mr. Kenney said when tree roots or branches are on the Avenrowe property, they have the right to cut off branches and roots as long as they don't destroy the integrity of the tree.

Mr. Guido Mariani said during the last several meetings he has said that the \$1.2M addition to the senior center is misdirected and we could better serve the entire community by selling the existing site, and building a community center for the entire township. Mr. Mariani said Lower Makefield was considering building a community center and was looking to receive \$1M from the state to do so. They just received this grant asking for what he has been asking this township to do for years. Mr. Mariani said there is no good news about the economic climate in this country. There is over 9% unemployment and there is a cumulative deficit of at least \$90M. He believes this is a direct result of the liberal environmental fanatics who have de-industrialized this nation and continue to demand

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excessive greenhouse gas reduction programs. Mr. Mariani said speaking to the folks at home, the ones who have lost their jobs, who can't pay their mortgage, and lost their medical coverage, you need to speak with your representatives on every level to demand that this radical administration take the locks off of our oil and gas reserves. Tell the EPA to take their hands off of energy and manufacturing production and tell the Department of Interior to un-lock the energy reserves we have and give us the kind of economy we had before these radicals took office. Mr. Mariani said according to the Congressional Research Service, we have enough oil to replace all the oil that we can get from the Middle East for the next 50 years and we have enough natural gas to meet our demand for the next 100 years. Along with clean coal and nuclear power, we could support our manufacturing base in this country which would produce American products and put workers back to real jobs at decent salaries. Mr. Mariani said if you look at Portugal, Spain, Greece, Ireland, and Denmark, that is the coming attraction of what this country is going to be and that is the cost of going green. Please get in touch with our representatives.

Mrs. Dorothy Vislosky said she has been in the hospital and she has to be back there tomorrow morning. She said she was in Doylestown last Friday and sat through a hearing. She had to get a ride home. She asked one of the employees in the courthouse to help find a ride for her. Mrs. Vislosky said she happened to catch a ride with a fellow who is on the Tullytown Council. She said she was dazzled by his grasp of the finances in Tullytown and things taking place down there. She asked this Tullytown Council member if he would send her the balance sheets for Tullytown to show her what they are doing with their investments. She said she received them and got busy contacting some of the people who have handled investments for her husband and her. She sent the Tullytown information to them and received volumes of replies which she intends to follow up on. Mrs. Vislosky said she is of the opinion that, at first glance, we are not doing the best investments with our money. She said she would like to see us doing at least what Tullytown has done and from what she can tell they are getting 4% more than we are on our money. Mrs. Vislosky said she will pass out letters tonight to the Board members, the manager, and the finance advisor. She expects to find out how much money we have in each of our money market accounts, in each account with PLGIT, the police pension fund, the capital reserve, and the landfill account and what was the return on investments for 2009, 2010, and 2011, year to date. She said that Tullytown got rid of PLGIT because they were under-investing. She expects to have the answers from Manager Gray this week. Mrs. Vislosky said she does not want anyone to use stationary with her name on it unless she is made aware of what is going on and she is referring to the situation with the three young people who attended the last meeting. Mrs. Vislosky said she requested a file from the labor attorney and promised she would not share that file with anyone. She wants to take a further look at that situation. Mrs. Vislosky wants the complete legal file for the Williams Tract, here in this building. Mrs. Vislosky asked about the schedule of meetings for the summer. Chairman Harvie said for July and August they would have meetings on July 19th and August 16th.
(Member Vislosky left the meeting at 7:35 p.m.)

ITEM # 6 EXECUTIVE SESSION - There was no Executive Session held.

ITEM # 7 MANAGER COMMENT

1. Manager Gray they have a proposed agreement with Verizon to install the T1 data connection for service to the boat ramp. This data connection is necessary for the security camera, parking, pay station, as well as the emergency phone. The board is asked to ratify the agreement with Verizon. The price is \$450 a month for two years. Board members thought this was a lot of money and asked if they could look into this further. The board will come back to this at the next meeting.
2. Manager Gray said the township will continue to accept applications for the Pinewood Pool as well as summer camp.
3. The Parks & Rec Summer Concert Series will begin on Sunday, June 19th and will be held every Sunday evening from 6-8 p.m. through August 28th. These events will take place at Phase I at the Falls Township Community Park. For information on Pinewood Pool after-hour rentals, please call 215-949-9000 X220, X221, or X222.

Mr. Clarke spoke about the injunction the township filed with the Lower Bucks County Joint Municipal Authority. They have reached an agreement about the manner in which the tank would be taken down. The tank was taken down, and we need to resolve this matter with Lower Bucks County Joint Municipal Authority. Member Szupka asked if there is the possibility of anyone filing a lawsuit. Mr. Clarke said Mr. Mayger has sent a letter to the township indicating that he is planning to sue the township, Lower Bucks County Joint Municipal Authority, and the contractor. Mr. Clarke said we are at a loss to understand what theory of liability the township has for Mr. Mayger's lawsuit. The insurance carrier has contacted the attorney representing Mr. Mayger to determine what theory of liability there is, but he doesn't know where those discussions have gone. Mr. Clarke said the DEP and EPA were out there but at no time did they determine there was any hazardous material on the site or coming off the site. The DEP involvement was more for the fact that they were taking down the tank and they needed a permit for that. OSHA was involved and that was because the contractor did not have the proper safety plan in place, but that was related to the workers. The matter we got involved in was to make sure that the Lower Bucks County Joint Municipal Authority took it down so we didn't have any repeat of any of the issues. Mr. Clarke said our Code Enforcement Department did what was proper in this instance. We are seeking to end this lawsuit. We could not turn this into another cause of action against Lower Bucks County Joint Municipal Authority, but this doesn't prevent us or anyone to seek any further action if it became necessary. Member Snipes asked Mr. Clarke to describe the way they took down the tank. Mr. Clarke said we wanted to make sure the contractor was not doing any cutting on the tank when winds were above a certain speed. Mr. Sullivan's office and the Code Enforcement Department were at the site every day with a device to determine the wind speed and there was one day when the winds were strong and they did need to shut them down. They needed to make sure that when they cut the large pieces there was a tarp around where they were cutting. There were some other precautions that were taken, but the main one was to have Mr. Sullivan's office and the Code Enforcement Department on site. Member Dence moved to direct the solicitor to end the lawsuit with Lower Bucks County Joint Municipal Authority; Member Snipes seconded

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the motion; all board members were in favor. (4-0) (Member Vislosky not present for the vote.)

ITEM # 8 BOARD COMMENT

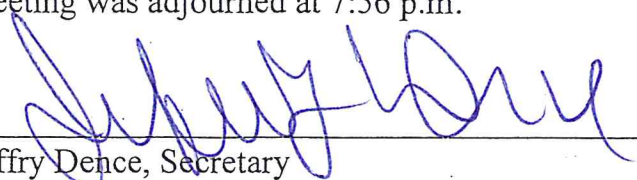
Member Snipes - No comment.

Member Dence said at the last meeting they spoke about traffic calming issues. Some people spoke with him. Traffic Planning and Design will come back and give us their recommendations. Member Dence said speed bumps were never part of the equation.

Member Szupka wants to mention that now is the time to look at your air conditioner filters. Cleaning or changing them makes a big difference in the efficiency. Make sure you have air circulating. When the air becomes very heavy, it may aggravate someone who has a breathing problem. It may help to cool your home earlier in the morning and not wait until the temperature reaches almost 100 degrees. If you know of someone who has a respiratory problem, please check on them often.

Chairman Harvie brought up about the meeting dates of July 19th and August 16th. Member Snipes moved to hold one meeting in July and one meeting in August; Member Szupka seconded the motion; all board members were in favor. (4-0) (Member Vislosky not present for the vote.) Chairman Harvie spoke about the Memorial Day Parade and the difficult time the American Legion Post had with the passing of Nevin Rovenolt. It was a great way to remember those who gave the ultimate sacrifice for our country. Regarding the boat ramp, Chairman Harvie said that earlier today he ran into two members of the Parks and Rec Department. Both of these individuals said the township needs to get the boat ramp open. Chairman Harvie said when you are working on something which deals with state and local ordinances, it takes a long time. We are now very close to opening the boat ramp. It is difficult to put a hard deadline on this type of project. It is no different when you do something like a boat ramp or road program. One of the things the insurance company is telling us we need to do is to install signs at the boat ramp regarding the restrictions and responsibilities. It is interesting talking with the two members of the Parks and Rec Department because they said they are constantly getting phone calls asking when the boat ramp will be open. Chairman Harvie said they had proposed to charge \$75 a year for residents and \$150 a year for non-residents. Since the boat ramp will be opening late they are looking to reduce the fees to \$50 a year for residents and \$100 a year for non-residents for the remainder of the season. The price for a day pass is \$10.00. Chairman Harvie thanked all of those folks who have put a lot of work into this. Chairman Harvie wished township residents a very Happy Father's Day.

Member Snipes moved to adjourn the meeting; Member Dence seconded the motion; all board members were in favor. (4-0) (Member Vislosky not present for the vote.) The meeting was adjourned at 7:56 p.m.



Jeffrey Dence, Secretary