

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

|   |                |
|---|----------------|
| <b>ROBERT HARVIE, JR., CHAIRMAN</b>       | <b>PRESENT</b> |
| <b>JEFFRY DENCE, VICE-CHAIRMAN</b>        | <b>ABSENT</b>  |
| <b>JEFFREY ROCCO, SECRETARY-TREASURER</b> | <b>PRESENT</b> |
| <b>BRIAN GALLOWAY, SUPERVISOR</b>         | <b>PRESENT</b> |
| <b>JEFF BORASKI, SUPERVISOR</b>           | <b>PRESENT</b> |

The meeting commenced at 7:04 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. Chairman Harvie said that Member Dence was absent as he was not feeling well this evening. Chief Wilcox will be joining the meeting late as he had a prior official commitment.

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

Mr. Roland Kenney said God bless Falls Township and wished everyone a good night.

Mr. Edgar Lituma said after he watched the last meeting he wondered how the Falls Township Soccer Club could obtain a donation from the township. For many years they have raised money and he wanted to find out about requesting funds. Chairman Harvie said the township gives money to a couple of different groups such as the St. Patrick's Day Committee for their parade, the American Legion for their parade, the Delaware Valley Vietnam Veterans for the flag memorial, and the three little league organizations. All of these organizations make a request for money. They give the township a budget on the money they spend on a yearly basis so the township has an idea of where the money would be going. Mr. Lituma asked the public who watch these meetings at home to try to attend the meetings. He would like everyone to work together to make Falls Township a better place.

Mrs. Gloria Lituma thanked the board for letting her go a little over the five minute limit the last time she spoke. Mrs. Lituma said she researched information on the proposed oil recycling facility. She looked up six companies that are recycling oil in New Jersey. She got up to Pure Earth Recycling, Inc. in New Jersey. Mrs. Lituma shared some history on the company Pure Earth. It ranged from the opening of this company in 2007 to a Federal cleanup in 2012. At the last meeting, Mrs. Lituma said she didn't know the name of the company in New Jersey, but either way, she does not want to be left with a toxic cleanup in our backyard. According to the Allegheny County Health Department, they do mention that

## Board of Supervisors – February 18, 2014

used motor oil can contain heavy toxins and materials and it is slow to degrade. Even though oil floats on water, it sticks to everything and is slow to degrade. Mrs. Lituma urged the board to stop this project. Mr. Sullivan said they are still looking into this. Mr. Clarke said we know the name of the company that submitted a land development application to us. If they are a subsidiary under a different name, you cannot punish this new company for something that a different company has done. Member Rocco said it looks like they are scheduled to appear before the Planning Commission on March 25<sup>th</sup>. Member Boraski asked if they would need to post a bond for cleanup. Mr. Clarke said they would be required under their DEP permits to post a bond that would address any environmental cleanup after they left a site. At a staff meeting they discussed another company that has left the township and did not clean up their site. There was a bond that they posted and we are taking steps with the DEP to enable us to get the money to clean up the site. The DEP determines the amounts of the bond for the potential environmental cleanup.

Mr. Ed Matthias said he volunteers for many organizations. One of those organizations is the Lower Bucks Flag Football Association. They provide an alternative for kids who do not play tackle football. All of their games are played on Sundays. This year they had a couple of teams that went to New York and the girl's team made it to Texas. All of their games are played at Ralph Emerson School. The school district will be starting construction shortly. Mr. Matthias said he doesn't want the league to not have any fields to play on. They are looking for a back-up plan for when construction begins at the school. Mr. Matthias said the league has a tournament each year in Falls and he is not sure if there are any fields available at Quaker Penn Park. Member Galloway said the school district is looking for a ground-breaking ceremony in April at the Buchanan site. Both sites should be under construction during the summer. Chairman Harvie said we have an application process. There are a couple of organizations such as the Falls Soccer Club, softball, and rugby clubs that already use the fields. Chairman Harvie said if Mr. Matthias could give Manager Gray his e-mail address, Manager Gray can forward an application to him in the morning and then Mr. Matthias can let Manager Gray know the days and times they are looking for. Mr. Matthias said they usually use three or four fields. There are between 200 and 300 kids who play in the league. The size of their current fields are 35 yards x 80 yards. Mr. Matthias said he saw the video of the ice damaging the pillars at the boat ramp.

Ms. Debbie Martier wanted to ask some questions about the future of the Three Arches. She said it seemed as though the decision by the board came out of the blue and said it has a negative impact on many people in and out of the township. She doesn't see why you want to close down events at the Three Arches. There is also a school program that goes to Walt Disney every year and the children are taught about colonial history. All of that is now done, without any warning. The gift shop sold items from 30 to 50 crafters and people loved going into the gift shop to purchase things. Hundreds of people come through to purchase items and it meant so much too so many people. Ms. Martier asked if someone will move in there. Chairman Harvie said we are committed to keeping the building running and open. They want to keep it as a central part of the history in the township. They have no plans to stop all of the things Ms. Martier spoke about. If the people in the building change, it doesn't mean they are stopping what they are doing now. Ms. Martier said she

## Board of Supervisors – February 18, 2014

doesn't know why Mrs. Reese had to leave because her husband was let go. Chairman Harvie said the lease agreement that was signed by the township and the Reese's clearly state that one was attached to the other.

Mr. Andy Dell said he would like to continue where Ms. Martier left off. Someone was here and it was stated that Mr. Reese resigned. Mr. Dell said he spoke with Mr. Reese and he was under the assumption he was fired. Mr. Dell asks if he resigned or was he fired. He asks why you would take people like Mr. Reese and Mrs. Reese, who loved their jobs and who loved what they were doing, and do this to them. Mr. Dell asked what it was that Mr. Reese did that was so despicable that he was just cast away like that, with no reprimands against him. He said it is very disturbing to him and everyone in the township. The fourteen years of service that he put in is a long time. Chairman Harvie said they will not get into personal matters. The township, the Board of Supervisors, and Manager Gray all felt there was a need for a change of direction in Parks and Rec. Chairman Harvie thanked the Reese's for the work they have done and said they wish Mr. and Mrs. Reese the best of luck. He said the fact of the matter is that Mr. Reese did resign. Mr. Clarke said this is a personnel matter. There is an agreement with Mr. Reese and part of that agreement is that there will be no disparaging comments. His point is that there shouldn't be a discussion here regarding personnel matters. There should not be any discussion as to whether or not he resigned, was terminated, or anything in between. Mr. Dell said he doesn't think it is right, but you guys have to live with yourselves.

Mr. Vince Cavallo said he is a little ashamed to say he is a Falls Township resident with the way the towing of the vehicles was handled. He got up at 4 a.m. to someone towing his vehicle and he wants to know why. Chairman Harvie said there were a total of 59 vehicles towed that night. They were towed if they were in snow emergency routes and if they were blocking the snow plows that needed to come through. The protocol that police followed was to post orange flyers on the vehicles, then the police officers went up to the house to try to make contact with the homeowner. If they were not able to make contact that way, they tried to make phone contact. If they were still not able to make contact, then the vehicle was towed because it was in violation of Ordinance 203-3. Mr. Cavallo said he thinks it was wrong and that residents needed to be given more notice. He understands the issues, but thinks that officers should have been knocking on doors earlier in the evening. Mr. Cavallo asked how much money the township makes off of this. Chairman Harvie said the township does not make any money off of the towing. He said there is a law about this and Mr. Cavallo's feedback was the first negative feedback they have heard. He understands there are people who are upset about it, but they get a lot of calls from people thanking them for clearing the streets. Common courtesy is to move the vehicles. Chairman Harvie said plow trucks come out at various times. We have a police force that has a wide variety of things to do. They knew the storm would be bad and during the previous storm they encountered numerous vehicles and problems when towing. Mr. Cavallo said they didn't get any warning. Chairman Harvie said they called the ten tow truck drivers on our list. Chairman Harvie said the reason why it is a surprise to people is that it has been an ordinance for quite some time, but they haven't had to enforce it for a while. For any snow over 2", cars have to be off the roads and it is not just the snow emergency route. It is something people need

## Board of Supervisors – February 18, 2014

to be mindful of. The township tries to make every effort to let people know their vehicles need to be moved. Member Rocco said they are going to look into further technology such as phone calls to notify people. Chairman Harvie said they would need residents to give the township their contact phone numbers. Mr. Clarke said there are two different ordinances that come into play here. One is the parking regulation and you are correct on the snow emergency routes when there is a certain amount of snow, you have to remove your car from the street. Ordinance 203-3 was for an emergency and temporary decision that is made by the Chief of Police and there really is not any notice required. According to Officer Ward, although the snow didn't start until late on Wednesday, there was a bright orange notice that was placed on most of the cars beginning on Wednesday morning. Manager Gray declared the snow emergency at 6 p.m. on Wednesday evening. When police officers saw the vehicles which needed to be towed, they knocked on the door, and they called the phone number that is listed. The police remained on the street with their overhead lights flashing to try to give attention and give additional notice. When those things failed, then at that point in time, because the plows needed to get through, the vehicles were then towed.

Mr. Darren Strazzeri, from Thimbleberry Lane, said his stepson's vehicle was towed. He did not have any warning or an orange tag on his vehicle. Mr. Strazzeri said he thought the vehicle was stolen. Chairman Harvie asked him to get in touch with Lt. Ward as he has some idea of where the vehicles were towed.

Mr. David Wiggins from 113 Village Lane said his wife was informed by Lt. Ward that the police did not have to contact people. Mr. Wiggins said they would have moved their car if they were contacted. His biggest issue is that there was no notification whatsoever. He has neighbors who were notified, but he and his wife were not notified. Mr. Wiggins said that in Ordinance 203-28 it states that if a snowstorm starts after 10 p.m. through the hours of 9 a.m., residents have 12 hours after that to have their vehicles off the street. Mr. Wiggins said this storm did not start until closer to midnight and his car was towed at 12:30 a.m. He asks how he, as a resident is supposed to be aware of this. His neighbor who has lived there his entire life was not even aware of this ordinance. They followed what was posted on the Falls Township website. He said there is no reason why one person three homes down from him was notified and he was not. He lives at the corner of Village and Vase and there was a 24-ft. boat left at the corner of Vase Lane. Mr. Wiggins feels the boat is a bigger problem than his car in the street. Chairman Harvie said they were following Ordinance 203-3. The obligation of knowing there is a storm coming and knowing that there were plows coming through is on the residents. Mr. Wiggins said in the four previous storms this did not happen. His main frustration is that there is no set standard. Member Rocco said the majority of the complaints they get are from residents asking why their street is not plowed. The snowplows cannot get through because of cars being parked in the streets. Chairman Harvie said your car could have been towed during an earlier storm because our snowplow drivers have instructions that if there is a vehicle blocking a roadway, their instruction is to call the police and get the car towed. The snowplow drivers sometimes don't do that because they are trying to do their job and they don't want people to get upset. It isn't that the rules have changed; it is that they are now being enforced. Chairman Harvie said the snow plow drivers will tell you that it is a nightmare trying to navigate those snowplows; it

## **Board of Supervisors – February 18, 2014**

is incredibly difficult. They can take a look at the procedures going forward and the policy in terms of notifying people. Ms. Gallagher said the township has a certain number of towers on the tow list. They will make sure that if the tow company is not open, they aren't allowed to charge for that time period. If anyone feels that they have been overcharged, they can file a complaint with the township and it will be investigated. Ms. Gallagher said each tow company that towed vehicles will be notified that they have to contact the vehicle owners as to where their vehicle was towed and their fees must comply with the ordinance. Mr. Clarke said Lt. Pletnick is currently working on a list of where the 59 cars were towed to. They do not know the exact price until the bill is submitted to the owner and that may vary, depending on whether it was a standard tow or any unusual circumstances. We have heard stories where some of these cars were caked in snow and ice. Some needed to be dug out. A regular standard tow is \$125 and that includes 30 days of storage. Mr. Clarke suggested that Mr. Wiggins contact the police department to find out where his vehicle is located. Member Rocco said the township does not make a penny off of these tows. It is a headache for the township. Mr. Wiggins said he was following the code and still does not understand how he was in the wrong. Mr. Clarke said the township followed Code 203-3 along with the ordinance which was posted on the website. Chairman Harvie said they will work with the police department to make sure the fees that are charged are appropriate.

### **ITEM # 2 CONSIDER PURCHASE OF A STREET SWEEPER FOR THE PUBLIC WORKS DEPARTMENT**

Mr. Joe Arnao spoke about this purchase. This item came in under budget. Board members thanked Mr. Arnao and the Public Works Department for all of their hard work. Member Galloway moved to approve the purchase of a street sweeper in the amount of \$258,167; Member Rocco seconded the motion; all board members were in favor. (4-0)

### **ITEM # 3 CONSIDER PROPOSAL FROM S&S WILDLIFE FOR GEESE MANAGEMENT AT FALLS TOWNSHIP COMMUNITY PARK**

Manager Gray said the township has a proposal from S&S Wildlife for egg addling and permits. The proposal is in the amount of \$5,225. This is the same price the township has been paying since 2010. Member Galloway asked about using other measures for the geese. Ms. Gallagher said the government requires at least three years of measures such as this. This will be the third year. Member Rocco moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Mr. Guido Mariani said this is the same program we have had year after year. Mr. Mariani said he would prefer the township try other products such as Flight Control Plus, Rejex-it spray and/or Rejex-it Fog Force. He would like the board to table this and look into these other products. Member Galloway moved to close public comment; Member Rocco seconded the motion; all board members were in favor. (4-0) Member Galloway moved to accept the geese management proposal from S&S Wildlife in the amount of \$5,225; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 4 CONSIDER CODE OF CONDUCT RULES FOR THE 2014 FALLS TOWNSHIP SUMMER CAMP PROGRAM**

Ms. Gallagher introduced this item. They became aware last year that there was nothing in place as far as a code of conduct in regard to the summer campers and their parents. They have put together a list of rules and guidelines that campers should adhere to. Offences will not be tolerated. They are asking the board to consider implementing this code of conduct for the upcoming camping season. Member Galloway moved to adopt the code of conduct for the township summer camp program; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 5 CONSIDER BUS QUOTES FOR THE 2014 FALLS TOWNSHIP SUMMER CAMP PROGRAM**

Member Galloway moved to award the bus quote for the 2014 Falls Township Summer Camp program to First Student according to their fee schedule; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 6 CONSIDER PROPOSAL FROM RAINBOW PROMOTIONS FOR RIDES AND GAMES FOR THE FALLS TOWNSHIP FAMILY FESTIVAL**

Member Galloway moved to award the quote for rides and games for the Falls Township Family Festival to Rainbow Promotions in the amount of \$9,800; Member Boraski seconded the motion; all board members were in favor. (4-0) This year's Family Festival will be held on Saturday, June 7<sup>th</sup> with a rain date of June 20<sup>th</sup>.

**ITEM # 7 CONSIDER PROPOSAL FOR FIREWORKS FROM D&M FIREWORKS, LLC FOR THE FALLS TOWNSHIP FAMILY FESTIVAL**

Ms. Gallagher said the township has received a contract with D&M Fireworks, LLC for a fireworks display at the Falls Township Family Festival to be held on Saturday, June 7, 2014. The total price is \$9,000 with half of that amount to be paid in a deposit up front and the other half to be paid at the time of the event. Member Galloway moved to approve the contract with D&M Fireworks, LLC in the amount of \$9,000; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 8 CONSIDER TENANT LEASES FOR G.H. VAUGHAN INSURANCE MANAGERS, DYNAMATRIX, AND T&M ASSOCIATES**

Manager Gray provided information for tenant lease agreements for the period of January 1, 2014 to December 31, 2014. Member Rocco moved to approve the lease agreements with Vaughn Insurance Managers and Dynamatrix at the rate of \$16.18 per square foot; Member Galloway seconded the motion; all board members were in favor. (4-0) Member Galloway

**Board of Supervisors – February 18, 2014**

moved to approve the lease agreement with T&M Associates at the rate of \$16.67 per square foot; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 9 ELCON – REVIEW AND DISCUSS SKETCH PLAN – LOCATED AT KIPC**

Chairman Harvie introduced this item for a sketch plan for Elcon, a potential business in the KIPC zone in the township. There is no vote or action on this item this evening. Mr. Thomas Profy from Begley, Carlin, & Mandio represents the applicant. Mr. Profy thanked the board for allowing Elcon to present their plan this evening and answer any questions the board may have. The project will require certain permits from the Pennsylvania Department of Environmental Protection (DEP). Also present were Mr. Greg Ventreska – Project Manager of the Keystone Redevelopment Group; Dr. Elgat who is the Founder and CEO of Elcon; Mr. Eric Gartin who will be handling the civil engineering process; and Ms. Margaret Fitzpatrick who will be handling the environmental permitting. Mr. Ventreska introduced Dr. Elgat. Dr. Elgat said Elcon was established in Israel as a center for the treatment of industrial wastewater. They serve numerous industries, mostly chemical, pharmaceutical, and semiconductor; all companies that produce wastewater that has to be purified. Wastewater is transported to them; they treat it and purify it. At the moment, they operate at the capacity of 100 tons per year. They have successfully treated over 1M tons of wastewater. They are currently operating 24 hours a day, 7 days a week. They want to open the first plant abroad here in Pennsylvania, which will serve as headquarters for their U.S. operations. It will be located in the KIPC. The plans call for a total of about 50 employees. After two to three years after the first phase they plan to double the plant and double their manufacturing capacity. They will serve all over the northeast from Massachusetts to North Carolina. The industries they serve will save a lot of money because companies will not have to haul their wastewater as far and their technology is much more cost effective. They plan to build the plant in less than ten months and have full capacity in two to three months. If the plant is successful, they may build a plant in western Pennsylvania and possibly another one in Texas or Louisiana. Member Galloway said it is a fascinating concept and he appreciates them coming here to inform the public of their intentions. Member Galloway asked if they will reuse the treated water in their operations. Dr. Elgat said they can use it as well as sell to their neighbors in the area. They will also produce about 5,000 tons of salt a year. Dr. Elgat explained the process for purifying the wastewater. Member Rocco asked about the facility and construction. Dr. Elgat said there will be about 50 employees in the plant. It will create 100-120 jobs in the construction phase which will take about a year. Almost 150 people will get the benefit of jobs created by this facility. If the market is big enough, they plan to use barge, railway, and trucks. It is very cost effective. Member Rocco asked about the environmental dangers associated with this business. Dr. Elgat said if you don't operate it correctly, anything can happen. Member Rocco asked about the timeframe. Dr. Elgat said it is about nine to ten months for DEP approval plus another ten months for construction. Chairman Harvie asked about any emissions. Dr. Elgat said they will be subject to DEP regulations. Since they are considered a minor facility, they were asked to have 99.8 reduction of the air pollution that comes out. They plan to have 99.999% reduction. Chairman Harvie asked if the proposed

## **Board of Supervisors – February 18, 2014**

plant is a carbon copy of what Dr. Elgat has in Israel. Dr. Elcot said yes. That facility has been in operation for ten years without a glitch. Chairman Harvie said he appreciates Dr. Elgat speaking this evening.

### **ITEM # 10 ENGINEERS REPORT**

Mr. Sullivan said the 2013 Road Program contracts remain in hiatus until about mid-March. Mercer Court is moving along. The Learning Experience is close to having a temporary use of occupancy. The Dollar Tree store in the Fairless Hills mall will open on Thursday. Member Galloway moved to approve the January Engineer's report dated February 14, 2014; Member Rocco seconded the motion; all board members were in favor. (4-0)

### **ITEM # 11 BILL LIST**

Member Galloway moved to approve the bill list dated February 18, 2014 in the amount of \$1,557,208.41; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 12 EXECUTIVE SESSION** – There was no Executive Session held at this time.

### **ITEM # 13 MANAGER COMMENT**

- A. Manager Gray said a hearing was held in regard to John's Auto Body who was charged with being in violation of Section 206-7F of the Wrecker's Ordinance. On call wrecker to abide by the fee schedule 206-8C requires on call wreckers to arrive within 15 minutes. There was an overcharge in the amount of \$175. Member Rocco moved to authorize the decision of Manager Gray regarding John's Auto Body; Member Galloway seconded the motion; all board members were in favor. (4-0)
- B. Member Galloway moved to award the proposal in the amount of \$4,950 to Ray Litwin Heating and Air Conditioning; Member Rocco seconded the motion; all board members were in favor. (4-0)
- C. Member Galloway moved to approve the purchase of 40 bare-root trees in the amount of \$25 per tree for the total amount of \$1,000; Member Rocco seconded the motion; all board members were in favor. (4-0)
- D. Member Rocco moved to approve the donation of \$6,000 to Levittown American Athletic Association; Member Galloway seconded the motion; all board members were in favor. (4-0)
- E. Member Rocco moved to approve the donation of \$6,000 to the Bucks County St. Patrick's Parade Committee; Member Boraski seconded the motion; all board members were in favor with the exception of Member Galloway who abstained from the vote. (3-0-1)
- F. Member Galloway moved to ratify the snow emergencies for the periods of: 12 a.m., Wednesday, February 5, 2014 through 9 a.m., Monday, February 10, 2014, and 6 p.m., Wednesday, February 12, 2014 through 9 a.m., Saturday, February



**Board of Supervisors – February 18, 2014**

15, 2014; Member Rocco seconded the motion; all board members were in favor.  
(4-0)

**ITEM # 14 BOARD COMMENT**


Member Rocco – no comment.

Member Boraski said with all of the recent snow, it was nice to see neighbors helping each other. It was good to see people coming together. Member Boraski said the new Dollar Tree store in Fairless Hills is just about to open.

Member Galloway said the Bucks County St. Patrick's Day Parade will be held at 10 a.m. on Saturday, March 15, 2014. It will begin at St. Joseph the Worker Church and end at the Bucks County Technical High School. Member Galloway said he will have more information at the next meeting.

Chairman Harvie said there are 82 miles of roads in Falls Township that our Public Works Department has to plow. It is a very difficult job for them to do, but they do a great job. In terms of the towing, he thinks it was a necessary thing. They haven't always enforced keeping vehicles off of the roads. He thinks the police and the township did everything they could to inform the residents, but a lot of it comes back to the residents. Please be cautious of the snow and try to move your vehicles off of the street. Chairman Harvie said he understands about some of the questions in regard to this. The township will contact the towing companies. There should be no fee for storage in a lot where residents did not know where their vehicles were located. They will make sure people are not overcharged. There are a few openings for some of the boards. Some board members have contacted some interested applicants, but not others. We apologize for not getting back to them quicker. They do have an opening for the Township of Falls Authority. Chairman Harvie thanked the public for helping each other out with snow removal.

Member Galloway moved to adjourn the meeting; Member Rocco seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 9:04 p.m.

  
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Jeffrey Rocco, Secretary