

**TOWNSHIP OF FALLS  
ORGANIZATION OF THE BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

<b>JEFFRY E. DENCE, CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFF BORASKI, VICE-CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFFREY ROCCO, SECRETARY-TREASURER</b>	<b>PRESENT</b>
<b>BRIAN M. GALLOWAY, SUPERVISOR</b>	<b>PRESENT</b>
<b>JOHN PALMER, SUPERVISOR</b>	<b>PRESENT</b>

The meeting commenced at 7:00 p.m. with roll call and pledge to the flag. All Board members were present. Also present were Township Manager Peter Gray, Chief Code Enforcement Officer/Assistant Township Manager Matthew Takita, and Township Solicitor Michael Clarke. (Township Engineer Joe Jones joined the meeting after his appointment.) Member Dence spoke about the passing of Michael Fitzpatrick. He said Mr. Fitzpatrick was born and raised in Levittown and was an Eagle Scout. He served as County Commissioner for many years and was then elected to Congress. He took great pride in making his community better. Our condolences go out to his family. A moment of silence was observed in his memory.

**TAKING THE OATH OF OFFICE – ROSEMARY MALISHESKI – AUDITOR –**  
This will occur at a later date.

**TAKING THE OATH OF OFFICE – JEFF BORASKI – SUPERVISOR**  
Mr. Boraski was sworn in by Judge Vislosky.

**TEMPORARY CHAIRMAN PRESIDING**

**ITEM # 1 CHAIRMAN APPOINTMENT**

Member Rocco moved to appoint Member Dence as Chairman; Member Galloway seconded the motion; all board members were in favor with the exception of Member Dence who abstained from the vote. (3-0-1)

**ITEM # 2 VICE-CHAIRMAN APPOINTMENT**

Member Rocco moved to appoint Member Boraski as Vice-Chairman; Member Galloway seconded the motion; all board members were in favor with the exception of Member Boraski who abstained from the vote. (3-0-1)

**ITEM # 3 APPOINTMENT TO SUPERVISOR VACANCY**

Member Rocco moved to appoint Mr. John Palmer as Supervisor; Member Boraski seconded the motion. Member Rocco moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Ms. Toni Battiste said she was

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disappointed that the board did not ask for recommendations. You had another person who ran against Member Boraski and she received two-fifths of the vote. It was someone who was actually running for the office and was interested in holding the office. It would have also been nice to have someone on the board with more diversity. Chairman Dence said they debated if they should advertise. They did receive an e-mail from Mrs. Graves, but it was not until this morning. Member Boraski moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) A vote was taken on Member Rocco's motion to appoint Mr. John Palmer as supervisor; all board members were in favor. (4-0)

Mr. Palmer was sworn in by Judge Vislosky.

**ITEM # 4 SECRETARY/TREASURER APPOINTMENT**

Member Boraski moved to appoint Member Rocco as Secretary/Treasurer; Member Galloway seconded the motion; all board members were in favor with the exception of Member Rocco who abstained from the vote. (4-0-1)

**ITEM # 5 ASSISTANT SECRETARY/TREASURER APPOINTMENT**

Chairman Dence said in the past the township manager has always been appointed the Assistant Secretary/Treasurer, but Manager Gray has submitted his resignation to us. Chairman Dence said Mr. Takita will be filling in for him. Chairman Dence moved to appoint Mr. Matthew Takita as the Assistant Secretary/Treasurer; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 6 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON  
FORTY-FIVE MINUTE MAXIMUM**

Member Galloway moved to open public comment; Member Boraski seconded the motion; all board members were in favor. (5-0) Ms. Toni Battiste asked why public comment wasn't held prior to the other agenda items. Mr. Clarke said when we are organizing, that comes first, but we did take public comment on those items. Ms. Battiste asked if there were any news on Elcon. Mr. Clarke said we had a hearing last month in front of the judge and he set a briefing schedule. Elcon has thirty days to submit their brief which will be due in the latter part of this month. Upon receipt of their brief, we have thirty days to submit our brief. Upon receipt of our brief, Elcon has ten days to file a rebuttal brief. The judge will then take the briefs and schedule oral arguments. We believe that will be in April or early May. Ms. Battiste asked if the new Zoning Officer could revisit the issue of a Certificate of Appropriateness or whatever it was that was signed and given to Elcon to say that the property they want to use is actually a correct use of that property. It didn't go through zoning. Mr. Clarke said it did not need to go through zoning. It was a decision made by the Zoning Officer and his office and legally from a zoning standpoint, it was an appropriate use for that site. Ms. Battiste asked if the new Zoning Officer could take a second look at that. Mr. Clarke said no, it was already decided; it cannot be rescinded.

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Member Galloway moved to close public comment; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 7 ESTABLISH MEETING DATES AND TIME FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS**

Member Rocco moved to establish monthly Board of Supervisor meetings to the third Monday of each month at 7 p.m.; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 8 APPOINTMENT OF TOWNSHIP SOLICITOR AND SPECIAL COUNSEL – SET COMPENSATION FEES**

Member Rocco moved to appoint Rudolph Clarke as General Counsel at the rate of \$195 per hour for township business and \$375 per hour for land development; Member Galloway seconded the motion; all board members were in favor. (5-0)

Member Boraski moved to table until the next meeting, the appointment of labor counsel for 2020; Member Galloway seconded the motion; all board members were in favor. (5-0)

Member Rocco moved to appoint Flager and Associates as Zoning and Land Development Attorney at the rate of \$195 per hour for township business and \$375 per hour for land development; Member Galloway seconded the motion; all board members were in favor. (5-0)

Member Rocco moved to appoint Hill Wallack for Code Appeals Counsel at the rate of \$185 per hour also as labor counsel for police negotiation at a rate of \$200 per hour; David Trulove at the rate of \$175 per hour for associate and \$225 per hour for arbitration and partner and \$200 per hour for Associates; Member Galloway seconded the motion; all board members were in favor with the exception of Member Palmer who abstained from the vote. (4-0-1)

Member Boraski moved to appoint Bidlingmaier and Bidlingmaier as the Township's Conflict Counsel at the rate of \$170 per hour; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 9 APPOINTMENT OF TOWNSHIP ENGINEER AND TRAFFIC ENGINEER – SET COMPENSATION FEES**

Member Rocco moved to appoint Jones Engineering and Associates as the Engineer of record at the rate of \$130 per hour for principal as well as the fee schedule which was provided; Member Boraski seconded the motion; all board members were in favor. (5-0)

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Member Rocco moved to appoint Remington and Vernick as the Township Conflict and Traffic Engineer at the rate of \$135 per hour for principal as well as the fee schedule which was provided; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 10 CONSIDER CCEO/ASSISTANT TOWNSHIP MANAGER'S AGREEMENT**

Member Boraski moved to approve the CCEO/Assistant Township Manager's agreement for the year 2020; Member Rocco seconded the motion; all board members were in favor with the exception of Member Palmer who abstained from the vote. (4-0-1)

**ITEM # 11 CONSIDER PUBLIC WORKS DIRECTOR AGREEMENT**

Member Galloway moved to approve the Public Works Director agreement as presented; Member Rocco seconded the motion; all board members were in favor with the exception of Member Palmer who abstained from the vote. (4-0-1)

**ITEM # 12 APPOINTMENT OF VACANCY BOARD CHAIRMAN**

Member Rocco moved to appoint Ms. Arlene Goulding as the Vacancy Board Chairman; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 13 APPOINTMENTS TO VARIOUS BOARDS, COUNCILS, COMMITTEES, AND COMMISSIONS**

Member Boraski moved to appoint James Goodwin to the Water and Sewer Authority Board for a five-year term; Member Rocco seconded the motion; all board members were in favor. (5-0) Member Boraski moved to approve Resolution # 20-1 for the appointment of James Goodwin to the Water and Sewer Authority Board for a five-year term; Member Galloway seconded the motion; all board members were in favor. (5-0)

Member Rocco moved to approve Resolution # 20-2 for the appointment of Alfred Brooks to the Zoning Hearing Board; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 14 APPOINTMENT OF DEPOSITORIES BY RESOLUTION**

Member Galloway moved to approve Resolution # 20-3 for the Appointment of Depositories; Member Boraski seconded the motion; all board members were in favor. (5-0)

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**ITEM # 15 RECOMMENDATION TO THE BOARD OF AUDITORS TO SET THE TREASURER'S BOND AT \$2,000,000**

Member Galloway moved to accept the recommendation by the Board of Auditors to set the Treasurer's Bond at \$2,000,000; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 16 NOMINATE, DELEGATE AND ALTERNATE TO THE STATE ASSOCIATION'S 98<sup>TH</sup> ANNUAL EDUCATIONAL CONFERENCE AND TRADE SHOW – MAY 3 THROUGH MAY 6, 2020**

There was no action on this agenda item.

**ITEM # 17 CONSIDER 2020 FEE SCHEDULE FOR CODE, FIRE, AND PARKS & RECREATION**

Member Galloway moved to approve Resolution # 20-4 to set the 2020 Fee Schedule for Code, Fire, and Parks & Recreation; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 18 CONSIDER AGREEMENT BETWEEN FALLS TOWNSHIP AND AIRGAS, USA, LLC**

Mr. Takita said that Falls Township and AirGas have entered into an agreement to allow AirGas to move forward on certain portions of their project. There was an issue of them proceeding without permits prior to this. After a stop-work order, we came to the table to arrange this agreement to allow them to move forward while they provide us the necessary paperwork. At this point, we are meeting on a weekly basis to make sure the plans they are providing are adequate. Member Palmer asked if our professionals are okay with this. Mr. Clarke said yes. Our office has been working on this and working with Mr. Jones and Mr. Takita. There are two goals. One is to make sure our ordinance and codes are being followed. The second goal allows this business to continue working on some other aspects of the project without shutting them down. It would have been a hardship for them if we completely shut them down. As long as they get us all the information to satisfy Mr. Takita and Mr. Jones, our office is satisfied with the agreement as presented. Member Boraski moved to approve the agreement between Falls Township and AirGas USA, LLC; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 19 EXECUTIVE SESSION**

Mr. Clarke said that prior to tonight's meeting, the board held an Executive Session to discuss various personnel matters.

**ITEM # 20 MANAGER COMMENT**

There was no Manager comment this evening.

**ITEM # 21 BOARD COMMENT**

Member Galloway congratulated Mr. Dence, our new Chairman. Congratulations to Mr. Palmer, our newest board member.

Member Boraski thanked his family for being here tonight to support him. He looks forward to serving for another six years. Congratulations to Mr. Dence who did a great job tonight. Member Boraski moved to appoint Katalinas Communications at the rate of \$70 per hour for public relations; Member Rocco seconded the motion; all board members were in favor. (5-0) Member Boraski welcomed Mr. Palmer to the board. He looks forward to working with him.

Member Rocco said Mr. Dence did well tonight. Congratulations to Mr. Boraski and welcome to Mr. Palmer.

Member Palmer thanked the board and for entrusting him with the honor of filling Mr. Harvie's vacancy. He said it is an honor to be up here on the board and he will do his best. Mr. Palmer thanked his friends and family whose support means a lot to him.

Chairman Dence said we had a good meeting tonight and he has big shoes to fill. Mr. Harvie always ran the meeting with a level of calmness and composure. Congratulations to Mr. Boraski on his re-election and to Mr. Palmer on his appointment. Chairman Dence looks forward to working with him.

Member Galloway moved to adjourn the meeting; Member Boraski seconded the motion all board members were in favor. (5-0) The meeting was adjourned at 7:30 p.m.

  
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Jeffrey Rocco, Secretary