

**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>PRESENT</b>
<b>JEFFREY ROCCO, SECRETARY</b>	<b>PRESENT</b>
<b>JONATHAN SNIPES, SUPERVISOR</b>	<b>PRESENT</b>
<b>BRIAN M. GALLOWAY, SUPERVISOR</b>	<b>PRESENT</b>

The meeting commenced at 7:05 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.

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

Mr. Mike Volb thanked the Public Works Department and Mr. Bill Reese for their help in getting the Trenton Road Park cleaned up. He said there is a lot of drug paraphernalia in that park and, on occasion, homeless people frequent this area. Mr. Volb said he is here tonight to voice his opposition to the proposed gun ban. Under the PA Constitution, we are a Second Class Township and we have no authority to touch it. It is a state issue. We have no more power to enact this than we do to change the speed limit out here on Route 1. You mentioned Erie and no matter how that ends up, it will not stop there. Morrisville and Bucks County both tried to do this and found it is illegal. You are basically telling the criminals that people are unarmed over there; go get them. If you really want to protect children, you should take a shovel to the Pinewood Pool. Mr. Volb said it is a fact that more children die from swimming pool accidents than gun accidents. If this is passed, you will only end up in court. People will say you need to provide security in the gun-free zones. Mr. Volb said taking care of township issues, getting a dilapidated building approved for renovation, and other issues being brought up tonight; that is what you are here for – not to take a national political ideology and try to back door it through the township. The government is here to protect the public not to prevent the public from protecting themselves. He is more than willing to sit down and have a discussion with any one of you. Mr. Volb said his father had a saying that when you repeat someone else's lie, you become a liar. Mr. Volb said if you chose to ignore the Second Amendment, the Commonwealth of PA State Constitution, he will not comply.

Mr. Roland Kenney said at the last meeting he thanked a few people who helped celebrate the Three Arches anniversary. Mr. Kenney also wanted to thank Judge Vislosky, Sam Snipes, who spoke for a half an hour, and the woman who saved the Three Arches, Mrs.

## Board of Supervisors – November 19, 2013

Filotti. Mr. Kenney said someone stopped and asked him about using some of the senior center money to do work on the annex building. This individual suggested that they paint, do some siding work, and also replace the wood at the Three Arches building.

Mr. Tim Watkins addressed the Board of Supervisors in regard to the proposed ordinance for the firearms ban. When he saw the video playback on television, it got his attention. He sent the board a letter about a week ago. Mr. Watkins wanted to know where we are with compliance with state law. He said as a township resident and citizen, if that ordinance were signed off on, he wonders where we stand as far as litigation. Mr. Watkins gave some incidents in his letter where other townships throughout the state saw the light and realized they could get into some financial trouble. Mr. Watkins asked how the board is going to handle the financial impact if this goes through and you will also have to defend us in court. He thinks you need to look at the fiscal responsibility behind this. Mr. Watkins said to let the state regulate firearms; we don't have to do that here.

Mr. Mike Whelan said at the last meeting, Chairman Harvie mentioned at the end of the meeting that the Republicans should be embarrassed about the lies. Mr. Whelan said while sitting up there, Chairman Harvie told a few mistruths of his own. You said all of the Democratic workers were there from 7 a.m. to 9 p.m. and were Falls Township residents. Chairman Harvie said what he said was that most of them were Falls Township residents. Mr. Whelan said he worked at the senior center from 7 a.m. to 9 p.m. at night and there were no less than eight union electricians there and four of them were from New Jersey. One of them was a gentleman who was a Republican, an NRA member, and was from Columbus, NJ. He was told that as part of their apprenticeship, they had to be there and they were paid between \$200 and \$400 depending on how long they were there. Mr. Whelan said he believes Member Dence showed up so the union people could get paid. After they got their vouchers signed, they all left. As far as the soccer fields go, the point was not that they looked bad; the point was that you spent \$30,000 on something that could have been done for less money. The reason you did it was because you had the money. It could have been done cheaper.

Mr. Andy Dell said he left the last meeting early and then watched board comment. He said Chairman Harvie assassinated his character. Mr. Dell said he attends all of these meetings, volunteers his service, and takes a lot of time out of his schedule helping this township. Mr. Dell said there were multiple condescending comments made about him. He was not there to protect himself, but he was here earlier in the meeting congratulating Mr. Boraski on his win, and nothing was said to him then. When he left the building, Chairman Harvie went on a ten- to twelve-minute tirade. Mr. Dell said he wants to clarify some of the issues that Chairman Harvie brought up. Mr. Dell said he has complained about this building, but did not ask for a new building. He complained about the moss on the building. He asked for some paint, caulk, and to clean this place up a little bit. He thinks every project we have had in this building has had an overrun of ten to fifteen percent. He wants to know what we are getting for a new township building, wants more research on the contractors, who is doing it, and what material will be used. He doesn't want to see overruns on this building project. He thinks continued maintenance of this building would have sufficed for him. Mr. Dell

## Board of Supervisors – November 19, 2013

said outright lies were told about him with regard to the boat ramp. Mr. Dell said forty residents use this boat ramp. Chairman Harvie said they sold about one hundred passes and about half of them were Falls Township residents. Mr. Dell said that 99.7% of the residents aren't using this boat ramp. He said \$1.5M was spent on the boat ramp and only .03% of the residents use the boat ramp. Mr. Dell said his numbers weren't that far off and he would not consider what he said an outright lie. Mr. Dell said Chairman Harvie said that Mr. Dell was insulting Mr. Sullivan in his comments. Mr. Dell said he did not complain about how the job turned out. He was complaining about the amount of money spent on this. Mr. Dell said \$250,000 was spent re-sodding the soccer fields. He believes they could have spent close to \$100,000 to \$150,000 less if they had just hydro-seeded it. He does not want to see the kids playing on a poor field; he just felt that there was a different way to get to the same point and save a substantial amount of money. It was not a lie and he was not complaining about the look of the fields. With regard to return of the \$1M sidewalk to nowhere - this is a title for the sidewalk project. Five years ago there was talk of \$1M for this project. It was the title to an article in a newsletter. We have spent \$100,000 in studies on this sidewalk. He doesn't even see a line out there as to where the sidewalk will go. Mr. Dell said he is trying to save the township money. He is not telling lies and he is not trying to skew the truth. Mr. Dell said if people in Vermillion Hills are upset that he called it the million dollar sidewalk to nowhere, he apologizes. Mr. Dell said he called you guys a political machine. He said the fact of the matter is that every one of you guys ran against him. You and your families worked the polling places as did Mr. Boraski. He understands Mr. Boraski's family working the polls. Mr. Dell said Mr. John Galloway and our tax collector made robo calls for Mr. Boraski and you complained that he had Dave Heckler make a robo call. Mr. Dell said he congratulated Mr. Boraski on his win. Mr. Dell said that Chairman Harvie said Mr. Dell had received \$11,000 from Chuck McIlhinney, which he did. Mr. Dell asked what can he do for a State Senator. You guys got \$11,000 from the Electrical Workers' Union, and the Committee to Elect Bob Harvie wrote Mr. Boraski a check for \$15,450. Mr. Sullivan and Mr. Clarke each wrote checks for \$1,500 for Mr. Boraski. Mr. Dell said if Mr. Boraski is sitting on the board, it is difficult to criticize people who are giving you money to run your campaign. Mr. Dell told Chairman Harvie that where the money comes from has a huge impact on the decisions made when you are sitting up there. He personally didn't make up any lies about Mr. Boraski. The only thing he did was put his picture on a rubber stamp; they have talked about that, and he has gotten past that. He thinks Mr. Boraski is a very nice person and hopefully will do a good job. Mr. Dell said the next time while he is here, he would prefer Chairman Harvie make the comments directly to him and not wait until he leaves the building.

Mr. Doug Sanocki said he watched the last meeting and came to tonight's meeting because he was inspired by Mr. Mariani who urges people to come and speak. Mr. Sanocki said there was a time when Mr. Mariani was speaking about a controversial subject, and his comments were referred to as being idiotic. Mr. Sanocki said he has observed the light treatment given to people. Mr. Sanocki said he feels board members should be a good example to young people. People are being bullied verbally and the outcome is horrifying. We could use many other words other than those words that are hurtful. We all need to take account of this and set a good example.

## Board of Supervisors – November 19, 2013

Mr. Frank Gallo said he uses the Falls Township Community Park and wanted to thank the folks who take care of the park. Mr. Gallo said on Veterans Day we all spoke and honored those veterans who protect our freedoms. This board is currently looking to underarm those same freedoms. Mr. Gallo said even though you now tabled this amendment, he wants to share some thoughts. Mr. Gallo spoke about past history, gun control, and the advocates of people. These laws are passed and violence has increased. A great number of tragedies are committed in gun-free zones. The people committing these crimes do not have anything to lose. It is the law-abiding citizens who have the most to lose. Mr. Gallo said the Bucks County Sheriff's Department reports that there are about 30,000 concealed weapon holders in our county. Mr. Gallo said he is a victim of a violent crime by two convicted felons. He had everything to lose by not obeying the law, but the criminals could care less about the law. Mr. Gallo urges the board not to put restrictions on our Second Amendment. He wants people to petition our Legislators to account for the semi-automatic weapons that were let go to Mexico, design school entry ways with safety and protection in mind, encourage our State and Federal lawmakers to provide programs for the mentally ill, and develop a coordinated effort on illegal gang activity and illegal drug trafficking. Mr. Gallo said gun control is the best thing you can do for crooks and gangsters. Mr. Gallo thanked the board for their time and consideration in regard to this issue.

Mr. Carlo Grillett wanted to confirm that you received the brief from the attorney representing the Pennsylvania for Self Protection objecting to Chapter 199. Mr. Grillett spoke about how he goes shopping and if he were carrying a gun, how he would be breaking the law if he were shopping in Falls Township. Mr. Clarke said he received a letter from Mr. Prince. Mr. Clarke said this ordinance is meant only for township-owned property, not township-controlled property. This ordinance was a civil penalty, not a criminal penalty and that was a mistake in your attorney's letter. Mr. Grillett said he will defer to his attorney.

Mr. Tim Svermann said he wants to be able to protect himself and his family. He said he had a gun pointed to his head and believes the only reason he is alive is because he was able to get his concealed weapon out of his holster to protect himself. Mr. Svermann said you would take that away from him. His gun is concealed at all times. You take the ability for anyone to protect themselves and their family. This is something to really think about. The criminals won't listen to anyone; they have nothing to lose. Mr. Svermann does not want the board to base their judgment on what Erie is going to do. He asked if anyone has read the Second Amendment of the PA Constitution. He said there is no Second Amendment to the PA Constitution. He said there is something much more powerful; Article 1, Section 21. He said to take a look at Section 25. Mr. Svermann said criminals don't care. Please allow us to protect ourselves. This is something to be taken seriously. Mr. Svermann thanked the board for their time.

Mr. Eric Patroni said he has legally carried a gun for over twenty-five years. He would dread having to draw his gun on someone, but he feels he has a right to self-defense. This proposed ordinance change would take away the right for people to defend themselves. The right to self-defense, however you choose to do it, is your right as a human being.

## Board of Supervisors – November 19, 2013

Mr. Andrew Rumbold said he is here as a Pennsylvania State Constable, a sworn Peace Officer, and an Oath Keeper. He is here to object to the Section 199 Ordinance change. He said the board, as well as himself, swore to uphold and defend the Pennsylvania Constitution. That is a document that guarantees our rights that we are born with, including the right to self-defense. Anyone upholding public office should immediately resign if they are not going to uphold their oath. Mr. Rumbold said the PA Constitution was enacted before the Federal Constitution. Article 1, Section 21 should be enough. It is clearly not in the authority of this board to enact this legislation. As mentioned previously, you will subject this township to legal fees. In your Chapter 199, it permits firearms to be locked in public property and on your website it mentions about a rash of thefts from vehicles. Mr. Rumbold said he doesn't understand where this is coming from. The only people who obey signs are the law-abiding people; not the criminals. The gun-free zones that we create restrict people from the ability to defend themselves. You have an illegal park ordinance and Bucks County recognizes this. He encourages you to stop this attempt to infringe on the rights of the residents and anyone else who might visit the township parks. Chairman Harvie said the rash of vehicle thefts were overnight and was largely from unlocked vehicles.

Mr. Tom Dougherty asked whose idea this ordinance change was. Chairman Harvie said it came up after the shooting in Monroe County where an elected official was killed in a meeting room like this one. That is when they had police officers come to these meetings. There was concern about the safety of the people in this building. Chairman Harvie said it was discussed among the five board members. Chairman Harvie said the ordinance was drafted by the solicitor's office at the direction of the Board of Supervisors. Mr. Clarke said the ordinance was drafted for what they intended to do. Mr. Dougherty said he thinks they are overlooking that an armed citizen can save your life. Mr. Dougherty asked Mr. Clarke if he is familiar with the PA Manual. Mr. Clarke said yes. Mr. Dougherty said Section 21 states the right for a citizen to bear arms in defense of himself and the state shall not question this. It is the law of everyone in the state. He thinks he is correct in stating that most of the people understand that it is not your position to go against the State Constitution of the PA Manual and it is far beyond what your intended duties are supposed to be. You could end up costing the taxpayers a lot of money to defend this. Instead of tabling this proposed change, you should just throw it away and get back to the work of the taxpayers of this township and county. Chairman Harvie said one concern was raised by a lot of the speakers was about legal exposure the township might have. This is something a lot of them had thought about and continue to think about. Chairman Harvie thanked everyone for their time and all of the advice and ideas.

There was a break in the meeting at 9:04 and the meeting reconvened at 9:13 p.m.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 3 S. MAIN STREET  
TPN # 13-020-311-001 – REPLACE CEDAR SHINGLE ROOF ON THE  
TWO STORY ADDITION AT THE GAMBREL ROOF HOUSE**

Member Dence moved to approve the Certificate of Appropriateness to replace the cedar shingle roof at 3 S. Main Street, TPN # 13-020-311-001; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 FAIRLESS HILLS MALL – WAIVER OF LAND DEVELOPMENT  
610 LINCOLN HIGHWAY – TMP # 13-17-210-002**

Manager Gray said this project is for New Century Property Group, LLC, waiver of land development for proposed improvements including reconstruction of walkways and conversion of the existing building into a multi-tenant facility for retail sales. Mr. Thomas Hecker represents the applicant. Mr. Hecker said the subject of this application is the old Pathmark store which has been vacant for about twenty years. Mr. Hecker said Mr. Morris Steinberg located his business adjacent to this property about eighteen years ago. Mr. Steinberg has purchased this property and is the new owner. The Pathmark building is about 45,000 sq. ft. The Dollar Tree will occupy about 10,000 sq. ft. of space and Mr. Steinberg will move his garden center into the building and occupy another 20,000 sq. ft. The remaining property will be divided among other tenants, yet to be determined. This is basically taking the existing building and dividing it into tenant space. There will be exterior improvements, the installation of new handicapped parking spaces, sidewalks, and new electrical utility service. There are a couple sections of pavement that will be removed and reinstalled. The parking lot will be repaved and restriped. There will be a new façade to the building to give it an updated appearance. Mr. Hecker addressed and reviewed the township engineer's letter. Waivers include: parking, raised planting beds/landscaping, streetlights, sidewalks, street trees, and traffic study. Member Galloway asked if the sidewalk waiver were for Mr. Steinberg's side of Arleans Avenue. Mr. Hecker said yes. There is very little pedestrian traffic on that road. Member Galloway said there is a sidewalk on the other side of Arleans Avenue. Member Snipes said the sidewalk waiver on Trenton Road makes sense, but he is not sure about Arleans Avenue. He is also not sure about the plantings in the parking lot area. If you are resurfacing and working on the parking lot, he wonders if it may make sense to add some trees in order to make it look nicer. Mr. Steinberg said it is just getting resealed and restriped. They think with new striping, traffic will flow better. Member Rocco said he read through the notes from Mr. Brian Binney of the Planning Commission, recommending sidewalks along Arleans Avenue and said he is in favor of those as well. He thinks they should be tied into the crosswalks on Trenton Road. He is not sure how he feels about the lights, but he thinks sidewalks are something that is needed. Member Dence said he also agrees about the sidewalks. He doesn't think they are needed on Trenton Road, but he likes the idea of the ten-foot easement that the township can use. He likes the idea of breaking up the parking lot with the planters. He drove by tonight and said it is dark in this area. Member Dence asked how many parking spaces there will be. Mr. Hecker said there will be 321 spaces. Chairman Harvie said he doesn't have an issue of waiving the traffic study and is fine with a lot of the

## Board of Supervisors – November 19, 2013

waivers. He is curious about the interior building space. It looks like some of the areas being considered do not look like there is access to restroom facilities. Mr. Steinberg said each unit will have its own restroom. Right now the only tenant they have is Dollar Tree and themselves. If they fill up those middle spaces, they will size it up for smaller units, but it could change. There is under-slab plumbing so each store would have its own restroom. Chairman Harvie said he likes the idea of an easement along Trenton Road. In terms of going down Arleans Avenue, he would be in favor of extending the current sidewalk to the rear of Mr. Steinberg's store. Chairman Harvie said he doesn't know how much space putting in planters would take. Mr. Steinberg feels that the planters will get in the way of snowplows in the winter and shopping carts during spring, their busy season. Regarding the sidewalk, Mr. Steinberg said it is not just the cost of installing the sidewalk; it is also maintaining it. He thought as a compromise, of extending the sidewalk to where it currently ends down to the front of the building. Member Dence asked about the buffer between the loading dock. Mr. Steinberg said they will fill in the area near the loading dock with a shield to provide for additional screening. Member Dence asked if they could put a crosswalk in the street. PENNDOT may not necessarily have to get involved. Mr. Clarke said PENNDOT may need to be involved depending on the proximity of other PENNDOT roads. PENNDOT may be concerned about traffic being stopped and getting backed up onto other roads. He is not sure if there is a PENNDOT road near the road being discussed now. Mr. Sullivan said it also depends on where you are talking about putting the crosswalk. If it is too close to Trenton Road that may be a problem, but if it is near the front of the building where the crosswalk ends, then there may not be an issue. Mr. Clarke said there also may be some potential liability issues for the township that they might want to explore. Putting a crosswalk in a 25 mph zone and inviting the public to cross is normally not a problem, but putting in a crosswalk in a higher zone; he is not sure what the speed limit is for that road. You want to be very careful about that as well as the sight lines. You don't want to put anyone into harm's way and that is something to take a look at. You have to be careful. Member Rocco said there is a crosswalk at Arleans Avenue and Trenton Road, both going into Vermilion Hills toward Puss N Boots and also from Arleans (at Avenrowe) toward the Fairless Hills Mall. It just doesn't go anywhere. Member Dence said personally, he would like to see it connected. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Roland Kenney said he has been in Avenrowe for fifteen years. He and Mr. Steinberg have had many discussions. As far as sidewalks along Mr. Steinberg's part of Arleans Avenue, Mr. Kenney does not think they are needed. He would support a crosswalk from Arleans Avenue to the Fairless Hills Mall. Mr. Brian Binney said the reason behind the idea of the sidewalks is when they approved the drugstore, they required a sidewalk. They have a sidewalk to nowhere. The bank on Trenton Road has a sidewalk to nowhere. They are promoting people to cross. If they connect the dots now and people come in at some point in the future and re-develop from any of these properties along Trenton Road, then hopefully they will connect so that they don't have the situation as they have now on New Falls Road. As far as the trees and the plantings, since this is a re-development project, he thinks once it is lit, traffic will be directed to the normal flow of where it should go. He doesn't think trees are as big of a deal, but feels they should have the sidewalks. Mr. Doug Sanocki said these stores will sell a lot of the same things as other stores in the adjacent

## Board of Supervisors – November 19, 2013

area. He is sure they have good intentions, but his concern is about the effects on the other stores. His wife works at Pathmark and they are struggling. If these stores put other stores out of business, then we will have empty stores. Chairman Harvie said this is a valid concern, but this is something they are not allowed to consider. They don't have the authority to say there is enough of a certain type of store, and we don't want any more to go in there. Mr. Mike Falkevitz asked how much square footage and impervious surface are being added to the building. Mr. Hecker said the building and impervious surface will remain the same. Member Rocco moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Rocco asked Mr. Sullivan about the street lights. Mr. Sullivan said the developer would be responsible for the cost and installation, and then the township would take over the cost of maintenance and electric. There should be no more than two, but one might be sufficient. Mr. Hecker asked Mr. Steinberg if he would consider extending the sidewalk from Rite Aid, where it currently stops, down to the back of his building. Mr. Steinberg said if that is what it comes down to, then he will do it. He just feels it is a sidewalk that won't really be used. Member Snipes would like to take the advice of the Planning Commission. He understands about the plantings. For public safety, he would like to see the sidewalk at least part of the way. Both Member Dence and Member Rocco would like to see the sidewalk all the way to Trenton Road. Member Rocco spoke about the crosswalk that is already on Trenton Road. Member Dence said he understands about Mr. Steinberg's concerns about maintenance and expense. Chairman Harvie said he is thinking about Mr. Sullivan's comment about keeping the crosswalk far enough away from the two adjacent roads. He hears Mr. Binney's comments and also wants to help out Mr. Steinberg. It seems like a good option to go from the edge of Rite Aid property to the frontage of Mr. Steinberg's property. He asked if there could be a requirement that within a certain number of years, there must be a sidewalk that goes the rest of the way to the Trenton Road sidewalk. He asked if they could include something like that. Mr. Clarke said they could include a note on the approved resolution that, at some point, the sidewalk needs to be extended. There could be a time limit or a triggering point for when that would occur. Mr. Steinberg would be bound by that as well as any future owners. The triggering event would be if there were something done to the properties on either side of this property. Member Rocco said the neighboring property is the bank and asked what would be the triggering event. Mr. Hecker said if there is further development on Trenton Road and they put in sidewalks, Mr. Steinberg could provide sidewalks at that time and then all of the properties could be connected. Chairman Harvie asked board members about requiring sidewalks from the Rite Aid to the front of the building and then have a requirement for another property or a triggering event. Mr. Clarke said they could identify the tax map parcel so that if those properties are developed and sidewalks are installed as part of that development, then that would be the lead for Mr. Steinberg to put in the remainder of the sidewalks and connect to the other properties. There was a suggestion to tie the final sidewalk construction to the last tenant, and then Mr. Steinberg would then agree to install the sidewalk. Board members were in favor of that arrangement. When Mr. Steinberg has 100% occupancy, he will agree to develop the final part of the sidewalk all of the way down to Trenton Road. In the interim, the crosswalk will be at the driveway entrance of Mr. Steinberg's building connecting to the end of the Rite Aid sidewalk. They will give an easement on Trenton Road. What has been described on the tape is what will



## **Board of Supervisors – November 19, 2013**

be put into the resolution. Mr. Sullivan said with regard to the waiver for the traffic study, the applicant agreed at the Planning Commission that they would do a minor traffic count to establish the fact that their retail sales would be no different than what was there when it was a grocery store. Mr. Hecker said yes. Member Rocco and other board members did not think the traffic study is necessary. Member Rocco moved to approve Resolution # 13-34 granting waiver of land development for 610 Lincoln Highway, subject to the Township Solicitor and Mr. Hecker agreeing on the language in the resolution; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Steinberg said they are behind delivering the Dollar Tree their space and asked if they will be able to get them in there and get their Use and Occupancy. Mr. Clarke said you have approval. The only issue we are working out is the sidewalks. He doesn't think this will take more than tomorrow or maybe Thursday to get the language resolved. Mr. Clarke told the applicant he has an actual approval so he is ready to go.

### **ITEM # 4 2014 BUDGET PRESENTATION AND AUTHORIZATION TO ADVERTISE**

Finance Director, Mrs. Betsy Reukauf, presented the proposed 2014 Budget. The tax millage rates remain at 7.22 mils. It is the lowest tax millage rate since the 1992 budget was passed. Mrs. Reukauf presented highlights of the proposed budget, as well as budget comparisons with other townships, breakdown of the rates, and departmental budget. The 2014 Capital Projects include police department purchases, community park improvements, the New Falls Road sidewalk project, and new equipment for the Public Works Department. There are tax funds of \$19,771,905 and non-tax funds in the amount of \$58,655,359 for the total of \$78,427,264. The 2014 budgeted spending is in the amount of \$29,900,672. The 2014 Budget is expected to be adopted on December 17, 2013. Member Dence moved to approve advertisement of the 2014 Budget as presented; Member Snipes seconded the motion; all board members were in favor. (5-0)

### **ITEM # 5 CONSIDER ADOPTING ORDINANCE FOR CHAPTER 199 – TOWNSHIP OWNED PROPERTY**

Member Snipes moved to table agenda item #5, adoption of ordinance for Chapter 199 – Township Owned Property, to a future date; Member Rocco seconded the motion; all board members were in favor. (5-0) Chairman Harvie said there is pending litigation in Erie that deals with a law similar to the one this board is considering. While that law makes its way through the Pennsylvania Court System, this board feels that they will hold off on any action until we see the outcome of that litigation. Depending on how that case is decided, they will inform this board and other boards in the Commonwealth as to the legality of that law that is being proposed here.

**Board of Supervisors – November 19, 2013**

**ITEM # 6 CONSIDER RESOLUTION TO APPOINT AUDITOR FOR THE 2013 FINANCIAL AUDIT**

Member Snipes moved to approve Resolution # 13-35, appointing Major and Mastro, LLC as the Township Auditor for the financial audit in the amount NTE \$22,000; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 7 ENGINEERS REPORT**

Mr. Sullivan said the senior center project is 100% complete. There is a maintenance period of approximately two years for this project. The 2012 Road Program is substantially complete. All of the roads have been paved and there are some minor issues to be worked on. The 2013 Road Program continues. Storm sewer is complete on Kirby Drive and other work continues. The storm sewer on Makefield Road should be installed in the next couple of days. Peaceful Drive is the next road to be started on that project. Member Snipes moved to approve the October Engineers Report dated November 15, 2013; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 8 BILL LIST**

Member Snipes moved to approve the November 19, 2013 bill list in the amount of \$2,864,369.45; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 9 EXECUTIVE SESSION**

The Board will hold Executive Session at the conclusion of the meeting.

**ITEM # 10 MANAGER COMMENT**

- A. Manager Gray said a hearing was held on November 14, 2013, pursuant to Chapter 206-12 of the Township Code, in regard to TNT Towing. Based on the evidence presented, it was found that TNT Towing did violate the Township Code. It is recommended that TNT Towing be issued a thirty-day suspension with credit for any time already served, and a warning letter be issued that any further violations may result in a revocation of the Wrecker's License. TNT has been suspended since October 22, 2013. Member Dence moved to approve the recommendation of the management in regard to TNT Towing; Member Galloway seconded the motion; all board members were in favor. (5-0)
- B. Manager Gray said a hearing was held on November 13, 2013, pursuant to Chapter 206-12 of the Township Code, in regard to Knights Collision. Based on the evidence presented, it was found that Knights Collision did violate the Township Code. It is recommended that Knights Collision pay a \$200 fine to the township and issue a letter to Knights Collision that any further violations to the code may result in revocation of their towing license. Member Dence moved to approve the

## Board of Supervisors – November 19, 2013

recommendation of the management to issue a \$200 fine and a warning letter to Knights Collision; Member Rocco seconded the motion; all board members were in favor. (5-0)

- C. Member Dence moved to approve the escrow refund to Liberty Coating Company in the amount of \$308.90; Member Snipes seconded the motion; all board members were in favor. (5-0)

### ITEM # 11 BOARD COMMENT

Member Snipes said he paid careful attention to what people said this evening about the proposed ordinance amendment. People spoke about a deep concern about safety, protection, and rights. He knows people have different opinions and trusts this board will take all of these things into account and will hold close to one of their deepest commitments which is to protect the health and safety of our residents. Member Snipes said we will wait to see where we go from here. He is grateful for the opportunity to hear the comments.

Member Dence – no comment.

Member Rocco said the comments from Member Snipes were well said. Member Rocco thanked Chairman Harvie for explaining how we got to where we are.

Member Galloway wished everyone a Happy Thanksgiving to all and hopes everyone enjoys the holiday.

Chairman Harvie moved to appoint Mr. Harry Metz to the Disabled Person's Advisory Board for the position with the longest term; Member Dence seconded the motion; all board members were in favor. (5-0) Chairman Harvie spoke about the Falls Township Community Park soccer fields and the issue that was brought up during the election campaign. The soccer fields were constructed well over ten years ago. The majority of the maintenance was done by the Falls Township Soccer Club. For many years, they paid for a lot of the renovations themselves. It became obvious that the fields needed major work. There was a difference in opinion on how to do this work. The engineer convinced the contractor to sod both fields for the price of sodding one and seeding the other one. We ended up getting both fields sodded for a lower price than what it should have been. We did the best job that we could and he thinks we did a very good job for the money. There was a comment regarding overruns. Chairman Harvie said in his recollection, since Mr. Sullivan has come on board with the township, there have been very few projects that have had cost overruns. He is not sure which projects have caused overruns. There are things that come up and sometimes there are things that you didn't account for. That happens in every project, but that happens in very few of Mr. Sullivan's projects. In talking with Mr. Mariani and someone calling him idiotic, neither he nor Mr. Mariani have any recollection of that. Chairman Harvie is not sure where that came from. Chairman Harvie said Thanksgiving is coming up and he wishes everyone in Falls Township a Happy Thanksgiving. Food banks and shelters are looking for donations. Please consider dropping something off and remember those who are a little less fortunate. Chairman Harvie said Hanukah starts on

**Board of Supervisors – November 19, 2013**

Thanksgiving night and he wishes a Happy Hanukah to our Jewish residents. Please keep in mind those neighbors and friends who might need our assistance when the weather gets a little cooler. See what you can do to help them and look out for each other. Chairman Harvie thanked everyone who came out this evening and said he appreciates all of the comments. Chairman Harvie thanked board members and professionals for their input.

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 9:42 p.m.

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Jeffrey Rocco, Secretary

A handwritten signature in black ink, appearing to read 'Jeffrey Rocco', is written over a horizontal line. The signature is stylized and cursive.