

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:05 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Dence who was not feeling well. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan. Chairman Harvie welcomed Christopher Pullen (Boy Scout Troop 53) who is here working on his Citizenship in the Community merit badge.

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

Mr. Guido Mariani spoke about a recommendation for an action he would like this board to take. Mr. Mariani said the unregulated operation of retail recreational marijuana activity in Falls Township raises questions about the impact of such activity including questions about existing land uses and developments, the potential of adverse effects of health and safety, and the probability of the unlawful use of marijuana and marijuana products in Falls Township. Mr. Mariani said he does not know of any regulations governing retail marijuana activities and the existing ordinances are insufficient to prevent serious harm such as overburdening public facilities including our public safety resources. A few years ago, Mr. Mariani said he had lunch with a friend who said you are never going to get rid of drugs. The competition has extended itself to various levels of government. We need a plan to prohibit recreational drugs from entering Falls Township. Mr. Mariani said he understands an ordinance cannot limit the rights afforded to the marijuana act, but he thinks Falls Township should declare a moratorium of all retail recreational marijuana activity, location, operation, licensing, rights, social clubs, retail marijuana stores, retail cultivation facilities, testing facilities, and various marijuana products. No person or organization shall engage in any retail recreational activity or operate a marijuana retail establishment or club in Falls Township and no officer, official employee, office administration, or border agency of Falls Township shall ever act upon that for an application for license or approval or permit related to retail marijuana or recreational marijuana activities. Any provisions of the Falls Township ordinances that might be inconsistent or conflicting with this ordinance are repealed. If any recreational activity is conducted in violation of this ordinance, that shall constitute a separate violation of this ordinance every single time it is violated. Mr. Mariani asked if the township would have to pass an ordinance allowing retail recreational marijuana to enter the township and operate legally. Chairman Harvie said it is his understanding that

Board of Supervisors – April 17, 2018

retail marijuana is illegal and there is no recreational marijuana in Pennsylvania. The only legal sales for marijuana in Pennsylvania are for medical uses. It has to be licensed by the state and all the rules must apply. Chairman Harvie asked Mr. Mariani if he anticipated something coming. Mr. Mariani said they keep adding conditions to the list for the uses in favor of medical marijuana. The legalization is coming right behind it, faster than most people think. Mr. Mariani said when it comes, we don't have to accept it; he thinks we can say we don't want that activity here. Chairman Harvie said because we are in Pennsylvania, we must follow state law. We can look at zoning and putting things like that in certain places, but he is very cautious knowing the world we live in and when people hear something, he is afraid that people may be confused by what you are talking about. Chairman Harvie said Mr. Mariani's question is a good one, but we have no information at all that Harrisburg is moving toward this. Mr. Clarke said like the medical marijuana legislation, the state made it very clear that you could not have a complete outright prohibition of medical marijuana facilities, grower, processor, licenses or dispensary license in the township. You must provide for them somewhere within your municipality. If recreational marijuana ever gets approved in Pennsylvania, he is sure they will lay out guidelines for what municipalities can and cannot do. Chairman Harvie said as of now, there is no discussion that he knows of and no politician that he knows of, in favor of passing any law as Mr. Mariani suggests.

ITEM # 2 KELLY PIPE CORPORATION – PRELIMINARY LAND DEVELOPMENT, 95 TOWPATH ROAD – TMP # 13-047-164

Manager Gray said the applicant's proposed project consists of the construction of a new warehouse, two new office trailers and associated parking, utilities and storm water management. Mr. Francis Dillon Esq. represents the applicant. Mr. Jeremy Lowe from Kelly Pipe Corporation was also present as well as Mr. Tom Hammond from Gilmore and Associates. Mr. Lowe said that Kelly Pipe is a master distributor of carbon steel piping. They distribute piping to all the major master suppliers in the area. They cover the Eastern seaboard all the way from Washington, D.C. to Maine. They have been in Falls Township for about eight years. They will be able to consolidate their warehouse operations and their sales office operations. They have received the review letter and the resolution is acceptable. Waivers include: traffic study, partial waiver from curbs, waiver from 15 feet of open space between the outside wall of the building and the curb, shade trees, and a certain lighting waiver. Chairman Harvie asked about the lighting regarding drivers who show up early when it is dark outside. Mr. Lowe said they have some drivers who show up, get in their pre-loaded vehicle, and then leave. There is lighting in the area where the trucks are parked. Mr. Sullivan said they are required to obtain a temporary easement from the neighboring property (K-Mart). Mr. Dillon said they have an e-mail confirmation saying yes, but once they have the permits, they can give them a time. Member Rocco moved to approve Resolution # 18-9, for Kelly Pipe Corporation, Preliminary and Final land development, 95 Towpath Road, TMP # 13-047-164; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 3 CONSIDER LEASE AGREEMENT FOR JONES ENGINEERING ASSOCIATES, INC.

Manager Gray said there is a business looking to rent suite 206 in the township complex, commencing on May 1st for 2 years. It is a total of 2,328 sq. ft. The agreement is with Jones Engineering Associates. The rate will be the same that was charged to the prior tenant in that space. Member Galloway moved to approve the lease agreement for Jones Engineering Associates; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 4 CONSIDER THE PURCHASE OF POOL CHEMICALS AND SUPPLIES FOR THE PINWOOD POOL THRU THE BUXMONT AQUATIC CONSORTIUM

Manager Gray said the winning bidder for this year's pool chemicals is Buckmans. The price for liquid chlorine is \$1.18/gallon and the price for hydrochloric acid is \$18.25/for 5-gallons. The price for soda ash is \$16.75 for a 50-lb. bag. Member Galloway moved to authorize the purchase of pool chemicals and supplies for the Pinewood Pool through the Buxmont Aquatic Consortium; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 5 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR ORDINANCE AMENDING CHAPTER 170 – PEACE AND GOOD ORDER – AT SECTION 1, ACTS CONSTITUTING DISORDERLY PRACTICES

Ms. Gallagher said legislature recently passed an act which now allows the use of consumer fireworks within the Commonwealth of Pennsylvania. This will mirror the state law and put the regulations in the township code. We worked with the fire marshal on this and it gives our police officers a more easily accessible code they can follow. Consumer fireworks are still prohibited from being set off within 150 feet of an occupied structure, which is essentially a structure capable of occupation, not necessarily occupied at the time when the fireworks are set off. We are also permitted to prohibit the setting off of these fireworks on township property, including the township park. Member Boraski moved to authorize advertisement for ordinance amending Chapter 170 – Peace and Good Order – At Section 1, Acts Constituting Disorderly Practices; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 6 CONSIDER QUOTES FOR THE 2018 MOSQUITO SEASON

Companies were contacted to provide quotes for the 2018 mosquito season. Two companies declined to submit a quote. One quote was obtained from Clarke Mosquito in the amount of \$11,610. Member Galloway moved to accept the quote from Clarke Mosquito in the amount of \$11,610 for mosquito treatment and control monitoring in Falls Township; Member Boraski seconded the motion; all board members were in favor. (4-0)

Board of Supervisors – April 17, 2018

ITEM # 7 MINUTES – APRIL 3, 2018

Member Rocco moved to approve the minutes for April 3, 2018; 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)

ITEM # 8 ENGINEERS REPORT

The fishing pier was opened on Friday, April 13th. The Quaker Penn Park boat ramp docks went in today. The road program will go out to bid in about three weeks. We should be ready to start work towards the end of June. Member Galloway moved to approve the March, 2018 Engineers report dated April 13, 2018; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 9 BILL LIST

Member Galloway moved to approve the bill list for date from April 17, 2018 in the amount of \$1,674,940.70; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 10 EXECUTIVE SESSION

Prior to this evening's meeting, the board held an Executive session to discuss several personnel matters and a matter involving collective bargaining. We will have another Executive Session after tonight's meeting.

ITEM # 11 POLICE DEPARTMENT REPORT

No report

ITEM # 12 MANAGER COMMENT

- A. Member Rocco moved to approve escrow release # 2 for Gelest Realty, in the amount of \$80,795.93; Member Boraski seconded the motion; all board members were in favor. (4-0)
- B. New township businesses are: Prime Storage and Widener Metals.

ITEM # 13 BOARD COMMENT

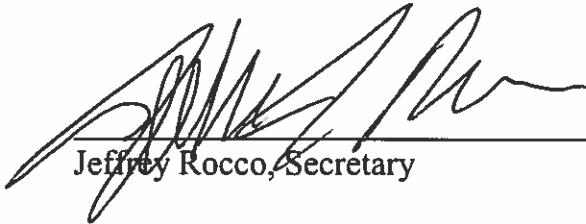
Member Rocco – no comment.

Member Galloway – no comment.

Member Boraski – no comment.

Chairman Harvie said it seems that we are seeing a lot more litter. PennDot has been cutting back brush more than usual and that could be why we are seeing more litter. We have been trying to get some organizations to adopt a highway. If any organizations are interested and want to look for an area to clean up in the township, please get in touch with Manager Gray. We will also work with Judge Vislosky and have come community service workers to help with this endeavor. A couple of years ago, we did raise the fines for littering. We also ask the public to help prevent littering. This also goes in terms of anyone who has a creek behind or near their home. We have had problems in the past where people take yard waste and dump it in the creek. It is illegal. In Falls Township it makes no sense since we have free trash pick collection. Putting lawn clippings in leaf bags and putting them at the front curb is something that people should be doing. It is a hefty fine for polluting a waterway. Chairman Harvie said there have been some instances in the past several weeks of no trash pickup by Waste Management. We have had lengthy discussions with people from Waste Management and told them we were disappointed in their performance. Manager Gray is having a meeting with them next week. One situation recently was that someone had a vehicle parked in Penns Grant and it was blocking the road. The trash trucks couldn't make it down the road. They came back again and that vehicle was still blocking the roadway. Please be conscious of that if you are doing something at your house.

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 7:43 p.m.



Jeffrey Rocco, Secretary