

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

<b>ROBERT HARVIE, JR., CHAIRMAN</b>	<b>PRESENT</b>
<b>JONATHAN SNIPES, VICE-CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFFRY DENCE, SECRETARY-TREASURER</b>	<b>PRESENT</b>
<b>PHILIP SZUPKA, SUPERVISOR</b>	<b>PRESENT</b>
<b>DOROTHY VISLOSKY, SUPERVISOR</b>	<b>PRESENT</b>

The meeting commenced at 7:32 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Vislosky. Member Vislosky joined the meeting at 8:18 p.m. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, and Township Engineer James Sullivan.

**ITEM # 1 CLEARWIRE US, LLC – CONDITIONAL USE HEARING CO-LOCATION 207 AUSTIN DRIVE, TPN # 13-4-131**

Chairman Harvie explained the reason for holding a Conditional Use Hearing. Member Dence moved to open the Conditional Use Hearing for 207 Austin Drive; Member Szupka seconded the motion; all board members were in favor. (4-0) Mr. Clarke said this is a Conditional Use Hearing for Clearwire US, LLC, located at 207 Austin Drive, TPN # 13-4-131 which is located in the Township of Falls, Bucks County, PA. This is an application requesting Conditional Use to allow the co-location of two 2-ft. diameter microwave dishes and antenna on an existing water tower located at 207 Austin Drive, incorrectly stated in the application as 207 Austin Road. Mr. Nicholas Talvacchia, Esq. represents the applicant. Mr. Talvacchia gave a description of the proposed project as well as background information on Clearwire US, LLC. They will add two 2-ft. microwave dishes onto an existing water tower. Their equipment will fit into an existing cabinet. Mr. Talvacchia gave information about their documentation which included the initial board application, denial letter, site plans, revised board application, engineer's report and FCC license. Mr. Talvacchia also added an electro-magnetic emissions analysis, as well as exhibits Z-1 - the site plan and S-1 – showing the elevation of the tank. Mr. Talvacchia said their equipment will be mounted at the 105-ft. level. Mr. Talvacchia introduced the witnesses who were then sworn in. The witnesses were Mr. Roger Johnson, Licensed Engineer and Mr. Arnold Arwenian, RF Engineer. They both agreed with Mr. Talvacchia's summary of the project with one clarification from Mr. Johnson. Mr. Talvacchia had stated that this area is considered NC district, whereby it is actually in the IN district. Member Szupka said this will be located on the water tower at the Fairless Hills Little League Field. Member Snipes asked how much area the transmission would cover. Mr. Arwenian said it is between one and one and a half miles. Member Snipes asked who would be using this service. Mr. Arwenian said it is for wireless internet service, voice over IP, and data transmission.

**Board of Supervisors – February 16, 2010**

Mahon Associates, Inc. for the Trenton/Bristol-Oxford Valley Road intersection; Member Dence seconded the motion; all board members were in favor. (4-0)

**ITEM # 3 CONSIDER APPROVAL OF PURCHASE OF NEW FORD EXPLORER FOR CODE DEPARTMENT**

Mr. Tom Bennett provided a quote for the purchase of a new 2010 Ford Explorer for the Code Department. The cost of this vehicle is \$22,167.24. Mr. Clarke said this is currently not on the Costars list, but it is on another state list. Mr. Bennett gave the justification for this purchase. Member Szupka moved to open public comment; Chairman Harvie seconded the motion; all board members were in favor. (4-0) Mr. Lopez said he would like to ask the township to consider the purchase of a hybrid vehicle. Chairman Harvie said they have looked into hybrid purchases, but there is a one-year wait for these vehicles. The vehicle also costs about \$8,000 more. They had considered this in the past as well, but the hybrid purchase was not feasible. Member Snipes said he would like to know what the township's needs might be a year from now so they could place an order in advance. Member Szupka said these vehicles may save a few miles per gallon. When you get into the four-wheel drive vehicles, the maintenance costs showing up on these vehicles far exceeds anything you would see in fuel savings. The latest report he has heard is that the hybrids cost about 25%-27% more in maintenance once you get into the 20,000-25,000 mile range. Member Szupka hopes that things will improve with the third-generation vehicles. Member Szupka said he would like to see some manufacturers come out with a smaller one- or two-cylinder diesel engine that powers a generator to keep the battery charged. Member Szupka doesn't believe the hybrids out there are meant to be used for a commercial vehicle. Mr. Lopez asked if the board would consider leasing the vehicles and then let the company who owns the vehicles be responsible for the maintenance. Chairman Harvie said one of the things with being a government entity is that when they purchase things like this, they have to go off of a state bid list. Unfortunately, they don't always offer what is desired. Member Snipes moved to close public comment; Member Dence seconded the motion; all board members were in favor. (4-0) (Member Vislosky joined the meeting at 8:18 p.m.) Member Dence moved to purchase a 2010 Ford Explorer for the Code Department in the amount of \$22,167.24; Member Szupka seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 CONSIDER APPROVAL OF HVAC MAINTENANCE CONTRACT FOR 2010**

Manager Gray said the township received two bids for this year's HVAC maintenance contract. The bids are from Baker Sheet Metal in the amount of \$4,860.50 and Ray Littwin Heating and Air Conditioning in the amount of \$4,750. Member Szupka said he would prefer to go with the lower of the two bids. Member Szupka moved to approve Ray Littwin Heating and Air Conditioning for the 2010 HVAC maintenance contract in the amount of \$4,750; Member Dence seconded the motion; all board members were in favor. (5-0)

**Board of Supervisors – February 16, 2010**

**ITEM # 5 CONSIDER PURCHASE OF NEW MOBILE COMPUTERS FOR POLICE DEPARTMENT**

Member Snipes moved to table consideration of the purchase of new mobile computers for the police department; Member Szupka seconded the motion; all board members were in favor. (5-0)

**ITEM # 6 CONSIDER AWARDDING TO CMX PROFESSIONAL ENGINEERING SERVICES FOR THE 2010 ROAD PROGRAM**

Manager Gray said this year there are six roads scheduled for full-depth road reconstruction and ten roads scheduled for mill and overlay. The roads for full-depth reconstruction are: Berwyn Road, Curtis Drive, Oxford Road, Jay Drive, Stevens Road, and Alden Avenue. The ten roads for mill and overlay are: Buck Drive, Durham Court, Raleigh Way, Blue Spruce Lane, Briarroot Lane, Black Pine Lane, Byberry Lane, Buttonwood Lane, Birch Drive, and Boulder Lane. The total cost of the engineering services proposal is \$475,800. Mr. Sullivan said that Jay Drive has a township boundary so they don't plan on going any further than the boundary. Alden Avenue will be reconstructed from West Trenton Avenue to the bridge. Member Snipes moved to approve the proposal for professional services from CMX for the 2010 Road Improvement Program in the amount of \$475,800; Member Dence seconded the motion; all board members were in favor with the exception of Member Vislosky who voted no. (4-1)

**ITEM # 7 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON – FORTY-FIVE MINUTE MAXIMUM**

Mr. Lopez said he has been a proud Falls Township resident for 11 years. He is studying criminal justice and recently had an assignment to complete regarding the police department. He thought he would be able to obtain the information for his assignment off of the township's police website, but was unable to find the information he needed. Mr. Lopez asked if the township's police department would be able to post more information. Chairman Harvie apologized to Mr. Lopez for his trouble with obtaining information. Manager Gray said Mr. Markey and Corporal Wolverton have been working on getting the website up and running soon. Chairman Harvie asked Mr. Lopez to give his contact information to Manager Gray. Member Vislosky spoke of the homeland security e-mail that she read in December. Mr. Lopez spoke of his project and his security background.

Mr. Roland Kenney said he understood the total price of the Challenger Field to be a little over \$200,000 and with donations, the amount is down to about \$150,000. Mr. Kenney said he wants the township to work on getting this project completed.

Mrs. Dorothy Vislosky announced the passing of Mr. Jerry McGorrie. Mrs. Vislosky read a poem in memory of Mr. McGorrie. Mrs. Vislosky said she had a number of e-mails in reference to Mr. Dence raising his voice to her after a recent meeting. She said that Mr. Dence said he was sorry; it was not on the tape. Mrs. Vislosky said she had an e-mail that suggested that she meet with Mr. Dence and give him some information. Mrs. Vislosky said

## **Board of Supervisors – February 16, 2010**

she tries to get along with everyone. She met with Mr. Dence at a businessman's office and hopes there is a way for them to work together. Mrs. Vislosky spoke about Arlene Goulding. Chairman Harvie echoed on the comments about Mr. McGorrie and said his thoughts go out to Mr. McGorrie's family.

Mr. Ray Erickson asked about the bid process for Biles Island. Chairman Harvie said they started a bid process about a year ago asking for bids. They had seven firms who submitted information around April. Those companies came back in the fall and presented information about what it would cost to do the kind of preliminary master plan the township was looking for. Because it was for professional services they were not bound by law to go with the low bidder. Mr. Erickson asked how many of the firms have worked with Waste Management. Chairman Harvie said CMX has worked with Waste Management and there may have been one other firm. Mr. Erickson asked about mine reclamation and the type of collaboration there might be between ACT and G.R.O.W.S. Chairman Harvie said that Waste Management approached the township about how we would want the property left. Mr. Erickson asked who has the responsibility for plowing township and state roads. Chairman Harvie said the township plows township roads and the state plows state roads. Mr. Erickson asked if the township road crews were working around the clock. Manager Gray said they worked most of the day on Wednesday, took a break and then came back later on to finish their services. Mr. Erickson asked if the correct police department phone number was listed on the township website.

### **ITEM # 8 MINUTES – FEBRUARY 2, 2010**

Member Snipes moved to approve the minutes for February 2, 2010; Member Dence seconded the motion; all board members were in favor with the exception of Member Vislosky who voted no. (4-1)

### **ITEM # 9 ENGINEER'S REPORT**

Mr. Sullivan said at this time, the Challenger Field project is out to bid. There is a pre-bid meeting at 11 a.m. on February 24<sup>th</sup>. The bid opening is scheduled for 11 a.m. on March 10<sup>th</sup>. Member Snipes asked if there was any feedback on the tree plantings and birm at the skateboard park. Manager Gray said he heard feedback from one individual and that feedback was favorable. Member Snipes moved to approve the engineer's report for January, 2010; Member Dence seconded the motion; all board members were in favor with the exception of Member Vislosky who voted no. (4-1)

### **ITEM # 10 BILL LIST – FEBRUARY 16, 2010**

Member Snipes moved to approve the bill listed dated February 16, 2010 in the amount of \$1,495,197.11; Member Dence seconded the motion; all board members were in favor with the exception of Member Szupka and Member Vislosky who both voted no. (3-2)

## **Board of Supervisors – February 16, 2010**

### **ITEM # 11 EXECUTIVE SESSION**

The board went into Executive Session at 9:00 p.m. and the meeting reconvened at 9:09 p.m. Mr. Clarke said that while in Executive Session, the board discussed a matter in regard to a collective bargaining agreement.

### **ITEM # 12 MANAGER COMMENT**

1. Member Vislosky moved to donate \$6,000 to the American Legion Post 834 for this year's Memorial Day Parade to be held on Sunday, May 30, 2010; Member Dence seconded the motion; all board members were in favor. (5-0)
2. Member Snipes moved to approve Resolution # 10-04, directing an auction for surplus property; Member Dence seconded the motion; all board members were in favor. (5-0) Member Dence suggested that for future sales to look into selling surplus property on EBay.
3. Manager Gray said a state of emergency was declared in the township from February 9, 2010 until February 11, 2010. By declaring a snow emergency, the township snow trucks were able to plow the roads without cars parked in the streets. This must be ratified by the Board of Supervisors within seven calendar days thereafter. Member Vislosky complemented Manager Gray and said she was amazed that Manager Gray was here at the township building and she found out that the staff was in as well. Member Vislosky also complemented Mr. Arnao and the road department. She said she was in Trenton and commented on the poor condition of the roads. Chairman Harvie also complemented the township for doing a great job on clearing the roadways. Member Vislosky moved to ratify the state of emergency; Member Szupka seconded the motion; all board members were in favor. (5-0)
4. Manager Gray reviewed changes to the AFSCME contract agreement. Member Szupka moved to accept the amendment to the AFSCME agreement; Member Dence seconded the motion; all board members were in favor. (5-0)
5. The Teen Advisory Panel and the Pennsbury LYFT is having a pasta dinner fundraiser on Sunday, February 28<sup>th</sup> from 3-7 p.m. at the Falls Township Senior Center. Price is \$8 for adults and \$5 for youth. The proceeds benefit TODAY which helps youth and young adults with substance abuse.
6. Manager Gray thanked Mr. Arnao and the Public Works Department for all of their hard work during this past snowstorm.
7. Manager Gray said the Jamson leasing plans are ready for signature.

### **ITEM # 13 BOARD COMMENT**

Member Snipes would like the township to think about what they could do as a township for residents who need help or a place to stay in case of an emergency or power outage.

Member Dence spoke about ReadyNotifyPA and also stressed the importance of having a system in place if someone needs help. Chairman Harvie asked Manager Gray to speak with Mr. Dippolito about this. Member Dence moved to appoint Mr. Ray Erickson to the Cable Advisory Board; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Dence moved to appoint Mr. Dan McMullen to the Community and

**Board of Supervisors – February 16, 2010**

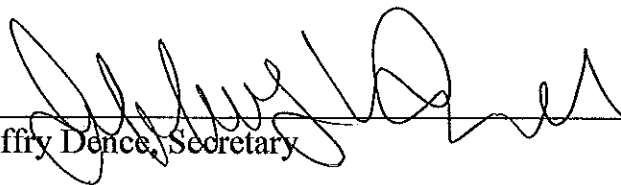
Economic Development Commission for whatever term is the longest; Chairman Harvie seconded the motion; all board members were in favor. (5-0)

Member Vislosky said she has been doing a study on a company that works mostly in Lower Bucks and Philadelphia. The company is Mucci Contracting and Paving. Member Vislosky said that Mr. Mucci had taken money from a woman and did not do the work. Member Vislosky said she spoke with Mr. Tom Bennett and he confirmed problems with this contractor. Member Vislosky said she wanted to help those who may have had problems with Mr. Mucci and stated that she is considering filing class-action criminal charges. If anyone is interested in joining her, they should send her a note to 273 Yardley Avenue in Fallsington stating the problem and date of their dealings with Mr. Mucci.

Member Szupka gave kudos to the township road department. He said there are hours of preparation before the trucks go out and also maintenance to be done in between shifts. Member Szupka said when you talk with people who travel outside of the township, they are amazed at what a great job Falls Township does. Member Szupka complemented Manager Gray for working with Waste Management in getting two extra days of trash pick up. Member Szupka said this is the end of Mardi Gras and tomorrow is Ash Wednesday.

Chairman Harvie said they all agree on the professionalism of the manager and also the Public Works Department for their hard work during the past couple of weeks. Chairman Harvie moved to appoint Mr. Mark Constable to the Community and Economic Development Commission; Member Snipes seconded the motion. Chairman Harvie amended his motion to add that the appointment is for the term to end December 31, 2010; Member Snipes accepted the amendment. A vote was taken. All board members were in favor. (5-0) Chairman Harvie said although football season is over, baseball players have reported so the spring season is right around the corner.

Member Dence moved to adjourn the meeting; Member Snipes seconded the motion; all Board members were in favor. (5-0) The meeting was adjourned at 9:42 p.m.

  
\_\_\_\_\_  
Jeffrey Dence, Secretary