

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JONATHAN SNIPES, VICE-CHAIRMAN	PRESENT
JEFFRY DENCE, SECRETARY-TREASURER	PRESENT
JEFFREY ROCCO, SUPERVISOR	PRESENT
BRIAN GALLOWAY, SUPERVISOR	PRESENT

The meeting commenced at 7:00 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, and Township Engineer James Sullivan.

Chairman Harvie welcomed Troop 53 Boy Scout Karl Krier to the meeting, along with fellow Boy Scout Tim Pullen. Karl is working on his Citizenship in the Community merit badge. Chairman Harvie said earlier today a fire broke out at SIMS Metal Management. There are a lot of firefighters working to fight the fire and he hopes they return home safe and sound. Chairman Harvie announced the passing of Levittown-Fairless Hills Rescue Squad EMT Kevin Maffettone. A moment of silence was held in his memory.

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

Mr. Roland Kenney asks for the public to remember a good man, Mr. Don Seratch. Mr. Kenney spoke about how he replaced some trees along Pennsylvania Avenue with ten nice trees.

Mr. Guido Mariani said this past month there has been a lot of discussion about public employee labor agreements and their effect on local government finances. Bristol Borough is having problems, there have been teacher lay-offs, Bristol Township has had a wage freeze, and there have been police layoffs. We have one municipality close by where the cost of retirees' health and pension costs exceed that of the present staff. The median income for a household in Falls Township is \$50,129. The average income for a male is \$41,200 and the average income for a female is \$30,117. Employee healthcare average for a single person is \$5,400 and \$15,100 for a family. The employee contribution for these benefits is between 20-30%. The unemployment in Falls Township is about 7.5%. Job growth in Falls Township is -0.25. Mr. Mariani said he has some questions about the Public Works Department five-year agreement. What was the result of the \$500 bonus given to each employee to agree to health care concessions? What is the employee contribution to healthcare? Do we still have the out-out clause for one half of the plan? Does healthcare follow an employee after retirement? Are employees still on the pension plan? At what age

Board of Supervisors – June 19, 2012

can employees in Falls Township begin to collect their pension? Have we made any plans to establish a defined contribution plan versus a defined pension plan? Mr. Mariani said he knows our employees care as much as about our township as we care about our employees. With an eye to the future, Mr. Mariani thinks Falls Township will have to provide future benefit packages that are predictable and affordable. The benefits of employee contributions have to reflect industry standards. Only 28% of companies that employ at least 200 people offer healthcare benefits after an employee retires. All new employees coming in should be placed into a defined contribution plan. Mr. Mariani said he thinks the retirement age should be raised to 62. He believes we have to begin long-range future planning and consider an alternative income to expand our tax base. Chairman Harvie said on the Public Works Department contract, the employees make a contribution. Manager Gray said he believes it was 5%. Manager Gray said if they opt out, they would receive 50% of the cost of their benefits – that is what it is for the police department and he believes it is the same for the Public Works Department. There are no post-retirement health benefits for Public Works' employees. There is a defined contribution plan with PMRS. It is a different set up than ICMA. The payouts will be issued a little differently than ICMA. Manager Gray said there is an age that which you can retire, but he would have to check that age. Mr. Mariani said he wants the employees of the township to have the best, but he wants the township to be able to afford it.

Mr. Andy Dell spoke about the landscaper that does the township work. He said the company that was awarded the contract, subbed out the contract to another contractor, Doran. Mr. Dell asked why a cleaning service would bid on this project and then sub it out to someone they know. Mr. Dell asked if the sub-contractor meets our requirements. He asked if they have a business permit. Chairman Harvie said this is something they discussed when they opened the bids. Manager Gray said the invoices go out to CNS Building Services. Chairman Harvie said they have had some problems and the company rep walked around with Mr. Arnao and they corrected the problems. Mr. Dell asked the board to please use the black dye mulch next year as it looks better and lasts longer. Mr. Dell asked if the township received the \$210,000 Biles Island grant. Chairman Harvie said they won't know until October if they receive that grant. There are ongoing discussions between ACT Engineers and Waste Management. Mr. Dell asked the board to check and see if the landscape subcontractor has insurance to be on our property. Mr. Clarke said the bid was awarded to CNS. They submitted everything that was required. CNS insurance and all their bonds are what is in control here, not a subcontractor. There was no reason to disqualify them so under the law we had to award the bid to CNS.

ITEM # 2 CONSIDER LAND DEVELOPMENT FOR KINDER MORGAN, 1 SINTER ROAD, TMP # 13-51-1

Manager Gray introduced this item. The project being proposed is for a fertilizer handling facility expansion. Mr. Ed Murphy represents the applicant. Mr. Murphy said they last met in 2007 to seek land development approval for the first two fertilizer domes and at that time, they were approved for those two domes. Those two domes have been erected and are operating. They each hold about 15,000 tons of pelletized granular, urea and phosphate.

Board of Supervisors – June 19, 2012

What is before the board this evening is an application for two additional domes to be placed in the immediate vicinity of the first two domes. The two new domes are similar in size and will accommodate the same type of material as the first two domes. The two new domes should enable the hiring of about six new employees. Chairman Harvie reviewed the list of waivers which include curbing, driveways, street trees, outline survey of the property to be developed, location and width of street mains, and underground utilities. Mr. Sullivan said he has no problem with these waivers. Mr. Murphy said U.S.S. owns the property and Kinder Morgan leases the property from U.S.S. Member Snipes asked for Kinder Morgan to make a donation in lieu of street trees. Mr. Murphy said they did not make any provisions for that previously and they did not make any provisions for that now. Member Snipes said he hopes they will provide for that. Member Rocco asked about the driveway width. Mr. Murphy said the ordinance requires 24 ft. and they are asking for 12 ft. Mr. Murphy said they will use the same driveway that they presently use on the site. Mr. Sullivan said he is okay with that. Chairman Harvie asked about the Traffic Planning and Design review letter. Mr. Murphy said they will comply with the four conditions in the Traffic Planning and Design letter. Member Dence asked about the Fire Marshal letter. Mr. Clarke said these files don't contain the Fire Marshal letter. Member Dence mentioned that in Mr. Sullivan's letter, there was a comment about consulting with the Fire Marshal. Mr. Murphy said they are happy to do that. Member Snipes moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Roland Kenney spoke about the six new jobs they will bring to the area. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Dence moved to approve Resolution # 2012-12, for Preliminary and Final Land Development for Kinder Morgan, 1 Sinter Road, TMP # 13-51-1. Member Snipes asked if there were a calculation of the street trees. Mr. Murphy said he is unaware of any calculation. Mr. Murphy said he will talk with Mr. Sullivan and work something out. Member Rocco seconded the motion; all board members were in favor. (5-0)

ITEM # 3 CONSIDER WAIVER OF LAND DEVELOPMENT FOR WASTE GAS FABRICATING, NEWBOLD ROAD, TMP # 13-28-88-2

Manager Gray said the proposed project for Waste Gas Fabricating, is to construct an addition onto an existing warehouse on an industrial parcel. Mr. Tom Hecker represents the applicant. Mr. Hecker said they have the procedural development of land development for the purpose of considering the approval of a building addition to be built at Waste Gas Fabricating on Newbold Road. This company has been in Falls Township since 1988. Prior to that time, they were in Tullytown. They have been operating and providing jobs in this area. Mr. Hecker reviewed their operation which includes the fabrication of steel parts and products. Since equipment and jobs have been added, space has been tight. They plan to add a 7,400 sq. ft. building, onto an existing impervious surface covered area, to help alleviate some of the tightness of the operation for the current facility. Mr. Hecker said that Kyle Cloman will be happy to take the board on a tour if any of the board members are interested. Mr. Hecker said they have reviewed the proposed resolution and all open items are will comply items. There are three waiver requests which deal with the planting of trees,

Board of Supervisors – June 19, 2012

curbing, and a partial waiver request has been made to avoid having to provide features within 200 ft. of the site. Member Snipes asked for a contribution in lieu of the trees they cannot plant. Mr. Hecker said they will make a contribution or plant the trees elsewhere. Member Dence said there is no letter from the Fire Marshal. Mr. Clarke said by agreeing to comply with all of the comments in Mr. Sullivan's letter, they do have to consult with the Fire Marshal on the accuracy of the design and they will agree with the Fire Marshal's requirements as well. Chairman Harvie referenced the June 13, 2012 letter from Traffic Planning and Design and how WB62 design vehicles will access the area as well as turn around and exit. Mr. Hecker said they will address this with Traffic Planning and Design. Mr. Kenney spoke from the audience and said there are jobs involved and encourages the board to pass this item. Mr. Sullivan said he has no objections to the waivers. Member Dence moved to approve Resolution # 2012-13, waiver of land development for Waste Gas Fabricating, Newbold Road, TMP # 13-28-88-2; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 CONSIDER WAIVER OF LAND DEVELOPMENT FOR CSC SUGAR,
200 ROCK RUN ROAD, TMP # 13-28-62-002**

Manager Gray said the applicant, CSC Sugar, plans to construct a truck scale with ramp and loading dock canopy. Representing the applicant is Mr. Doug Maloney. Mr. Maloney provided information for this project. The applicant proposes to construct a truck scale located the east end of the CSC Sugar site. Mr. Maloney explained the operation. The applicant wants to have storage of sugar in nylon bags at this facility. They have another warehouse at 80 Roebling Road which is a bulk storage warehouse for granular sugar. This operation converts granulated sugar into liquid sugar. There are three waiver requests which include street trees, providing a surveyed contour of topographical information on the plans, and a waiver from the requirement to include natural features on the plan. Mr. Maloney said they agree with the terms in the Resolution. Mr. Sullivan had no objections with the waivers. Mr. Galloway welcomed the company into the township and said he looks forward to seeing all of the people who will be employed at this facility. Member Snipes asked for a donation in lieu of trees. Mr. Maloney said that would be acceptable. Member Galloway moved to approve Resolution # 2012-14, waiver of land development for CSC Sugar, 200 Rock Run Road, TMP # 13-28-62-002; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 5 CONSIDER PROPOSAL FROM TRAFFIC PLANNING AND DESIGN,
INC. FOR MILL CREEK ROAD AND LEVITTOWN PARKWAY
TRAFFIC SIGNAL DESIGN**

Manager Gray said the township received a letter dated May 16, 2012, from Mr. Jerry Baker from Traffic Planning and Design, regarding the proposal for the traffic signal design services as mentioned at Mill Creek Road and Levittown Parkway. The cost of this proposal is \$25,650. The board is asked to consider this proposal this evening. Mr. Jerry Baker said they will be doing the ADA ramp design, actual design of the traffic signal, preparing the permit for submission to PENNDOT, obtaining the permit, preparing the

Board of Supervisors – June 19, 2012

construction documents, review of the bids, and then overseeing the construction. Member Rocco asked if there would be ramps even though there are no sidewalks. Mr. Baker said that is the way PENNDOT is going now. PENNDOT is very strict on this and they are requiring it. If it turns out they don't need it, they won't put them in. Member Rocco said construction would be the next phase and asked who would pay for it. Manager Gray said the engineering portion of this is in our 2012 budget. Mr. Mariani spoke from the audience and asked why Falls Township is paying for the whole study. Chairman Harvie said the intersection where the power comes in we pay for, so we are on the hook for this. Chairman Harvie said this is a study of the whole intersection to see what needs to be done. This is the type of upgrade they are looking to do at a number of intersections. They will look at what is in Bristol Township and what is in Falls Township. Member Dence moved to approve the amount of \$25,650 to Traffic Planning and Design for the Mill Creek Road and Levittown Park way Traffic signal design; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER AWARDING TOWNSHIP INSURANCE POLICY FOR THE PERIOD OF JUNE 18, 2012 TO JUNE 18, 2013 (PROPERTY, GENERAL LIABILITY AND PUBLIC LIABILITY)

Manager Gray said the township received quotes from Vaughan Insurance Managers. Vaughan Insurance solicited five separate insurance groups and received four quotes. They are: National Casualty in the amount of \$386,805; Travelers Insurance in the amount of \$296,016, Trident/MRM in the amount of \$402,545, and Glatfelter/Municipal Program in the amount of \$356,389. Travelers has insured the township for six of the last ten years. Last year they paid \$264,802 to Travelers Insurance. Part of the reason for the increase is that this building and the senior center were under-insured. Member Galloway noticed how much more some neighboring municipalities are paying. He said it is best to make sure we are insuring buildings at an adequate cost. Member Snipes asked about a comment in the letter from Mr. Gerald Vaughan. Manager Gray said rates are high and low. The rates had had been coming down, but now we see a trend that they are going back up. The insurance companies are getting tighter with their premiums. It is not just Falls Township; it is all around. Manager Gray said they have some people coming out to look at the two buildings. If the premium turns out to be a lower amount, we could get a refund. Mr. Clarke said it is not just square footage of the building; it goes by appraisal value. They are finding that things are undervalued and then it is costing the insurance companies money. Member Snipes moved to award the Township insurance policy for the period of June 18, 2012 to June 18, 2013 to Travelers Insurance Company in the amount of \$296,016; Member Galloway seconded the motion; all board members are in favor. (5-0)

ITEM # 7 CONSIDER RESOLUTION FOR THE HIRING OF POLICE OFFICER CHRISTOPHER IACONO

Manager Gray said that Chief Wilcox recommends the hiring of Officer Christopher Iacono to replace an officer who resigned in December. Officer Christopher Iacono will be sworn in tomorrow. Member Dence moved to approve Resolution # 2012-15, to hire Police

Board of Supervisors – June 19, 2012

Officer Christopher Iacono; Member Rocco seconded the motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDER AUTHORIZING NOTICE OF INTENT TO AWARD BID FOR THE PENNS GRANT TENNIS COURTS

Manager Gray said the township received a letter from Mr. Sullivan concerning the Penns Grant tennis courts. Bids were opened on June 13, 2012 for this project. One bid, in the amount of \$117,750, was received by Associated Paving Contractors, Inc. Based on the documents in the bid package, it is evident that Associated Paving Contractors, Inc. is not able to meet the Falls Township Responsible Contractor's Ordinance requirements and it is recommended that the board reject the bid and authorize the Township Manager's office to re-advertise this bid. Mr. Clarke spoke about the Responsible Contractor's Ordinance. Manager Gray said \$120,000 was budgeted for this project. Member Galloway moved to reject the bid from Associated Paving Contractors, Inc. and authorize the Township Manager's office to re-advertise the bid for the Penns Grant tennis courts; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDER AUTHORIZING NOTICE OF INTENT TO AWARD BID FOR THE SOUTH OLDS BOULEVARD CULVERT REPLACEMENT

Manager Gray said bids were publicly opened on June 13, 2012 for the South Olds Boulevard Culvert Replacement project. T&M has reviewed the bids which were as follows: Bucks Mont, in the amount of \$605,040, and Landmark Construction Services, in the amount of \$643,500. Mr. Sullivan said the low bidder is a couple hundred thousand dollars over the estimated amount. Both bidders had one line item over \$300,000. Mr. Sullivan said he was thinking about a couple hundred thousand dollar job and these two bidders did not. It is suggested that the board reject these bids and then break the bid into two different jobs. Member Dence asked if we could purchase the culvert ourselves. Member Snipes asked when the current culvert was installed. Mr. Sullivan said it is at least 40 years old, maybe more. Member Snipes and Member Rocco both had questions about the timing of this project. Mr. Sullivan said they had hoped to get this done in time for the beginning of the school year, but now that will not happen. Since these bids all need to be rejected, this will now go into the fall. Member Snipes moved to open public comment; Member Dence seconded the motion; all board members were in favor. (5-0) Mr. Andy Dell said he thinks it is a wise idea to purchase the culvert ourselves. He asked what happens if we buy the culvert ourselves and it is still too much money. Chairman Harvie said Mr. Sullivan will be having some conversations with the contractors. Mr. Dell asked about the township purchasing the culvert. Chairman Harvie said it is not on the state bid list so they will have to go out to bid. Mr. Sullivan said there are at least two or three suppliers of culverts; it is not a sole source. Member Galloway moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Galloway moved to reject the bids for the South Olds boulevard culvert replacement project; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Clarke asked if he could assume that since the board is not meeting for another

Board of Supervisors – June 19, 2012

month, that they can bid this job in two separate parts – the purchase of the culvert and the installation of the culvert and that the board will authorize the township administration to re-advertise this as two separate bids. All board members agreed.

ITEM # 10 MINUTES – MAY 15, 2012

Member Dence moved to approve the minutes from May 15, 2012; Member Rocco seconded the motion; all board members were in favor with the exception of Member Snipes who abstained, due to his absence at the May 15, 2012 meeting. (4-0-1)

ITEM # 11 ENGINEER'S REPORT

Mr. Sullivan said the Quaker Penn Park Babe Ruth Baseball Field project is substantially complete. It looks very good and will be ready to be played on next year. The 2011 Road Program is picking up its pace. Mr. Sullivan expects substantial completion on the road program in the new few weeks. Mostly everything is done and they will be working on punch list items. A letter has been received from the Bucks County Office of Community Development and there has been a finding of no significant impact on the environmental study at the senior center. The funds will be authorized for release by the Bucks County office on July 6th and on August 6th, hopefully HUD will release the funds which should become available to the township for use. Construction at the Falls Township Senior Center may begin sometime in September. Regarding the 2012 Road Program, we should be able to give a notification for notice of intent to award at the next meeting. They are looking at beginning construction in early September. Member Snipes moved to approve the May Engineer's Report; Member Galloway seconded the motion; all board members were in favor with the exception of Member Dence who voted no. (4-1)

ITEM # 12 BILL LIST

Member Galloway moved to approve the bill list, dated June 19, 2012, in the amount of \$2,134,088.89; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 13 EXECUTIVE SESSION – There was no Executive Session held.

ITEM # 14 MANAGER COMMENT

1. Member Snipes moved to approve the Peruzzi Automotive Group (160 Lincoln Highway) release from escrow in the amount of \$3,703.96; Member Dence seconded the motion; all board members were in favor. (5-0)
2. Manager Gray said Pinewood Pool memberships are still being accepted. The Summer Concert Series will run every Sunday night from 6-8 p.m. at the Falls Township Community Park, phase 1 pavilion. For more information, please call the Parks & Rec Department at 215-949-9000, X220.

ITEM # 15 BOARD COMMENT

Member Dence said there are two resignations from the Zoning Hearing Board. Mr. Tom Miles was an applicant and is interested in a position on this board. Member Dence moved to approve Resolution # 2012-16, appointing Mr. Tom Miles to the Zoning Hearing Board for the vacancy ending December 31, 2014; Member Rocco seconded the motion; all board members were in favor with the exception of Chairman Harvie who abstained. (4-0-1) Chairman Harvie said he abstained since Mr. Tom Miles is his cousin. Member Dence moved to approve Resolution # 2012-17, appointing Mr. Dan Miles to the Zoning Hearing Board for the vacancy ending December 31, 2012; Member Rocco seconded the motion; all board members were in favor. (5-0)

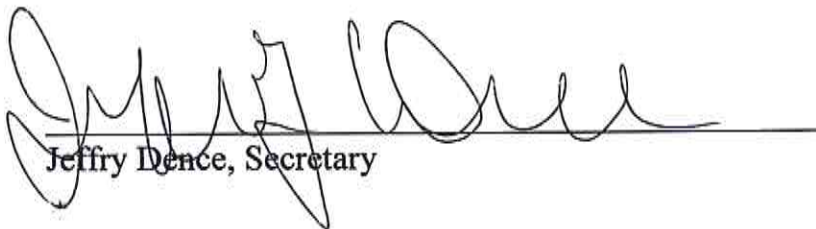
Member Snipes – no comment.

Member Galloway – no comment.

Member Rocco – no comment.

Chairman Harvie said he hopes all fathers had a Happy Father's Day. There was a recent problem with the township website and it should now be up and running. Chairman Harvie apologized for any inconvenience this may have caused. Chairman Harvie asked about having one meeting per month in July and August. The meeting will be the third Tuesday for these two months. All board members agreed. Chairman Harvie thanked everyone for a good meeting.

Member Galloway moved to adjourn the meeting; Member Dence seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 8:34 p.m.



Jeffrey Dence, Secretary