

**Board of Supervisors – March 4, 2014**

**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-TREASURER</b>	<b>PRESENT</b>
<b>BRIAN GALLOWAY, SUPERVISOR</b>	<b>PRESENT</b>
<b>JEFF BORASKI, SUPERVISOR</b>	<b>ABSENT</b>

The meeting commenced at 7:04 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Boraski who had a family commitment this evening. 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. Roland Kenney said he does not understand why people should expect police to knock on their doors during snowstorms. The public should be responsible for getting their own vehicles off of the street during snow emergencies. Mr. Kenney said Pennsbury Manor will have a Charter Day on March 9<sup>th</sup>. There is no admission charge on that day. Mr. Kenney said he has copies of both the June, 2003 and June, 2010 agreements made with Mrs. Reese. He said they are not much different. He really doesn't see anything that says she has to move out of the Three Arches. Mr. Kenney said he never spoke about Bill because he is an at-will worker and he understands how that works. Mr. Kenney said he feels Mrs. Reese is a volunteer and he hates to see her go. He sees her give presentations to children and said she did a lot for this township. Mr. Kenney said as of today, Mr. Reese has a new job. If you say prayers, please say one for the Reese's. Mr. Kenney said he hopes you find it in your heart to keep them here. Mr. Kenney wished everyone a good night and God Bless.

Mr. Guido Mariani said he would like to see you begin 2014 by undertaking a program involving Earned Income Tax (EIT). Mr. Mariani said this enable the township to expand our services and satisfy all of our residents. Mr. Mariani said an EIT revenue source would generate somewhere around \$6.6M of income for this township each and every year and that would help to get rid of our dependence on host community fees. He said we have to stop subsidizing other municipalities. Mr. Mariani said there have been a lot of requests for a community center and he believes we can create one that would benefit all of our residents, including our seniors. There are two properties that he thinks may soon be available in the Falls Township geographic area that could be used for a community center. Mr. Mariani



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said he thinks the police department should move into the present senior citizen building. By moving the police out of the current building, it takes away the need for an expansion to this building. Chairman Harvie said there is a lot that goes into a police department. The present senior building would need drastic improvement. Member Dence said he does not think the building is large enough for the police department. Chairman Harvie said if the police department moves to a separate facility, the maintenance personnel who work on the police vehicles would still be located in the present facility and that could be an issue.

Mr. John Bossman told Chairman Harvie that his comments last year to the residents joining the Lower Makefield Township property, were right on the mark. He said his former neighbors appreciated that. Mr. Bossman said his property borders the Peruzzi property and the new light that was put in shines into his backyard. There is a pole on the back of Peruzzi's building and that one has additional lighting. He first tried calling the dealership and no one responded to him. When he went to the dealership, he spoke with a sales manager and did not get any help. Mr. Bossman said he questions the height of two light ballasts. He spoke with Mr. Tom Bennett and the police department. The attitude from Peruzzi is that they are looking into it. Member Dence said he will personally call Fred Peruzzi and discuss this with him tomorrow. Mr. Sullivan said the maximum height is 25 ft. or the height of the nearest building on the property and the lights have to be shielded. Chairman Harvie said they will take a look into this matter.

Mrs. Gloria Lituma spoke about New Seaview/Lubricycle. She asked what to expect when they appear before the Planning Commission on March 25<sup>th</sup>. Chairman Harvie said it is similar to this meeting. New Seaview will be attending to give a presentation and answer any questions. Mrs. Lituma asked about the timeframe to get up and running, once they get approval from the Planning Commission. Chairman Harvie said they would probably be here the second meeting in April. They would have to resolve any outstanding issues that they may have. Mr. Sullivan said there may be other agency approvals such as the DEP. Chairman Harvie said the EAC will review plans. There are a couple of guys on there who are professionals; one worked for the DEP and one is an environmental engineer. Mrs. Lituma spoke about a company similar to this and Vineland was able to block the license from the DEP. She would like to look into this and see if this project can also be blocked. She said there is limited benefit that we will get out of this. Mrs. Lituma asked for the name of the company. Ms. Gallagher said she should have the official name of the company in a couple of days. Mrs. Lituma requested that information when it becomes available.

Ms. Carol Frehafer asked if there an ordinance for basketball courts on the sidewalks. Chairman Harvie said they cannot be in the street. Also, you may not block a sidewalk with anything. Mr. Clarke said this would be a code violation. Chairman Harvie said there isn't anything regarding noise with those, but if they are blocking the sidewalk you can contact the code department. Ms. Frehafer said she heard about the oil recycling company New Seaview and asks the board to reconsider this project.

Mr. David Sager said he is president of Pennsylvanians for Self Protection. Mr. Sager believed the board had authorized advertisement to amend Chapter 199 banning firearms on



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township owned property. Mr. Sager said they reached out to the township a couple of times and haven't heard anything. Member Dence said they couldn't do anything with that ordinance and it was dead. They have no intention of doing anything with that ordinance at any time. The majority of the board is not in favor of moving forward with that change. Chairman Harvie said if they wanted to do anything, they would have to start all over again.

### **ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 9 OLD LOCUST STREET TPN # 13-020-269 – REPLACE CEDAR SHINGLE ROOF ON THE MONTESSORI COTTAGE**

Member Galloway moved to approve the Certificate of Appropriateness to replace the cedar shingle roof at 9 Old Locust Street, TPN # 13-020-269; Member Dence seconded the motion; all board members were in favor. (4-0)

### **ITEM # 3 CONSIDER PROPOSAL FROM REMINGTON & VERNICK ENGINEERS FOR A GRANT FOR THE NEW FALLS ROAD SIDEWALKS**

Manager Gray said the township received a letter from Mr. Thomas Beach of Remington & Vernick Engineers. This is to provide grant writing services for the New Falls Road sidewalk and is in the amount not to exceed \$1,958. Mr. Beach explained the details of the grant. The grant funding is about an 80/20 split. The township would do all of the up-front engineering, which Mr. Beach has already been handling. The downside is that September is the earliest you would know and you have to go through the PENNDOT process. Realistically, they would push this project out another year before it could be built. However, that may enable them to get funding for similar projects in the township. The price of the project has to be between \$250,000 and \$1M. Mr. Beach said the township would do the design engineering fees and they pay the construction cost and cost to inspect. This is a slower process, not a shovel-ready project. April 4<sup>th</sup> is the deadline for the grant application. As part of this, one of the eligible projects is storm water management so you can have your township engineer take a look at applying for that also. Chairman Harvie said they were looking at extending a walkway on Mill Creek Road. Chairman Harvie said having worked on a previous PENNDOT project, he is aware of a significant amount of steps for these types of projects and a lot of hoops to jump through. It could take months and months. Mr. Beach said if you used an alternate firm that may be the case, but they did not indicate that to him. Member Rocco asked what is needed to submit the application. Mr. Beach suggested thinking of some other potential projects to submit with this. Member Dence moved to approve the proposal from Remington & Vernick Engineers for the grant for the New Falls Road sidewalks in the amount NTE \$1,958; Member Rocco seconded the motion. Member Dence moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Mr. Guido Mariani said there are a lot of projects like this one that keep re-appearing. Mr. Mariani said this project, as he sees it, is no more a safety issue today than it was in 2011. He said New Falls Road was constructed to be a motorized road. He doesn't know of any need that would require sidewalks along this roadway. None of the businesses that he sees are patronized by pedestrians. He said he



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clocked New Falls Road for months and the largest number of pedestrians he saw along this road was two. Board members said they see pedestrians, bicyclists, and people on scooters traveling along New Falls Road. Mr. Mariani believes the whole objective of this connection plan is that it won't be long before you want to put sidewalks on the other side as well. Mr. Mariani spoke about sidewalks in Bristol Township. He asked if they considered running a blacktop strip. Member Dence said that is basically what they are doing. They are trying to make it safer for those who frequent New Falls Road. Mr. Mariani said he would like the board to let this go. Member Dence moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) A vote was taken on Member Dence's motion. All board members were in favor. (4-0) Member Dence moved to approve the proposal for additional engineering services for the New Falls Road sidewalk in the amount of \$4,404; Member Galloway seconded the motion; all board members were in favor. (4-0)

### **ITEM # 4    CONSIDER AUTHORIZING ADVERTISEMENT FOR ORDINANCE AMENDING CHAPTER 203 TO ADOPT ARTICLE VIII – “NEIGHBORHOOD TRAFFIC ADVISORY COMMITTEE” AND ARTICLE IX – “TRAFFIC CALMING MEASURES”**

Member Dence said they have had many discussions about the traffic and speeding issues in Falls Township. We have a process that goes through the police. We are creating a Neighborhood Traffic Advisory Committee made up of residents, the police, and our traffic engineer, Mr. Beach. They will address these issues and deal with them on a case by case basis. Hopefully, at the next meeting, they can approve this and start working on traffic calming in Falls Township. We are advertising to adopt two different articles. The first article creates the neighborhood traffic committee. It will appoint five members with the initial term beginning in May, 2014. The rest of the positions will stagger. The committee will meet once a month and will consult with whoever is necessary in the township, for instance, the board, the manager, Public Works, etc. They would give recommendations to the board. The second article deals with traffic calming measures and provides a mechanism to look at different areas of the township and to determine whether or not the township has control of the road. The committee is advisory only. Member Dence said there are different options out there and guidelines they have to follow. If anyone is interested in serving on this board, they can send a letter of interest to: [admin@fallstwp.org](mailto:admin@fallstwp.org). There is no experience necessary for these positions. Member Dence moved to authorize advertisement for the ordinance amending Chapter 203 to adopt Article VIII – Neighborhood Traffic Advisory Committee and Article IX – Traffic Calming Measures; Member Galloway seconded the motion; all board members were in favor. (4-0)

### **ITEM # 5    DISCUSSION REGARDING LED LIGHTS FOR FALLS TOWNSHIP**

Member Rocco said Bristol Township recently replaced all of their traffic lights with LEDs. He said he reached out to some of those board members and started looking into doing this in Falls Township. There are about 2,500 lights that are currently not LEDs. They have replaced some. After some calculations, if all of the old street lights are replaced, it looks



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like it could be pretty decent payback in about four years. After four years, the money that we have will save (about \$150,000 per year) will be money going back to the township. Mr. Clarke said this had originally started when they received a proposal from a company doing an outdoor lighting survey about replacing the township's street lights with LEDs. They looked at that information as well as information from other municipalities who did this. Mr. Clarke explained the options available for this type of project which may include purchasing the bulbs and then separately looking for someone to put them in or getting someone to provide both the light bulbs and do the installation. Mr. Clarke said they don't believe there is a need to do this outdoor lighting survey at this point in time. The township administration will need some direction from the board as to which way they want to go. There is also an option of looking to do this under the PA Guaranteed Energy Savings Contract Act. Chairman Harvie said the township has been looking at energy savings since their pilot program several years ago. As the older fixtures burn out, they are replaced with energy-efficient light bulbs. This would be replacing all of the light fixtures with LED bulbs. The projected cost will be somewhere around \$640K. Member Dence asked how many intersections have they done. Manager Gray did not have the exact figure available. Mr. Clarke said if you are doing a project under the PA Guaranteed Energy Savings Contract, there are tax credits and rebates that are available. Whether it is the RFP for something under the energy savings or whether it is a competitive bid, Mr. Sullivan's office can put that together, but it would just be a matter of direction from the board. An RFP permits you to look at the various proposals and chose a proposal from a variety of factors that you determine are in the best interest of the township. A competitive bid requires you to go with the lowest responsible bidder. Board members thought it might be easier to purchase the lights themselves and then find someone to install them. Mr. Clarke said you can specify a particular type of light or equal. Mr. Clarke said he, Mr. Sullivan, and Manager Gray could put together some information for the board to consider and what would be entailed from a bidding, an RFP, or grant perspective. It would include some estimates from Mr. Sullivan and they can present that to the board in the early part of April. Board members agreed. Member Dence would also like to have Mr. Arnao included in the discussions.

### **ITEM # 6    CONSIDER AUTHORIZING ADVERTISEMENT FOR LANDSCAPING SERVICES AT TOWNSHIP FACILITIES**

Manager Gray said the board is asked to consider authorizing advertisement for landscaping services at township facilities. There are nine facilities throughout the township that will be considered for these services. Manager Gray said this work would begin in April and continue through the end of October. Last year the board had CNS in the amount of \$18,000. Member Dence said Mr. Arnao has reported that if there were any problems, CNS addressed them and corrected them in a timely manner. Member Galloway moved to authorize advertisement for landscaping services at township facilities; Member Dence seconded the motion; all board members were in favor. (5-0)



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**ITEM # 7 CONSIDER AUTHORIZING ADVERTISEMENT FOR ORDINANCE AMENDING CHAPTER 168 – PARKS SECTION 15, MISCELLANEOUS PROVISIONS, SUBSECTION B - HUNTING**

Ms. Gallagher said this ordinance would be an amendment to Chapter 168 dealing with parks. This change would remove any reference that would prohibit carrying firearms in township parks. This will put us in line with what the Commonwealth of Pennsylvania has said. Member Dence moved to authorize advertisement for ordinance amending Chapter 168 – Parks Section 15, Miscellaneous Provisions, Subsection B – Hunting; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 8 CONSIDER BIDS FOR FALLS TOWNSHIP PINEWOOD POOL REPAIRS**

Manager Gray said the township received a letter dated February 28, 2014 from Mr. Sullivan regarding the Pinewood Pool repairs. T&M Engineers has reviewed the Pinewood Pool repair bids that were publically opened on February 28<sup>th</sup>. Four bids were received as follows: Poolside Plastering Inc. in the amount of \$28,340; Kevin M. Wengell, LLC in the amount of \$28,801; All State Tech, Inc. in the amount of \$37,525; and Premier Builders, Inc. in the amount of \$42,550. Member Galloway moved to authorize the township engineer's office to issue a notice of intent to award the bid for the Pinewood Pool repairs to Poolside Plastering, Inc. in the amount of \$28,340; Member Dence seconded the motion; all board members were in favor. (4-0)

**ITEM # 9 MINUTES – FEBRUARY 4, 2014 AND FEBRUARY 18, 2014**

Member Dence moved to approve the minutes for both February 4, 2014 and February 18, 2014; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 10 EXECUTIVE SESSION**

Mr. Clark said before the meeting the board held Executive Session to discuss two matters of potential litigation involving land development projects within the township.

**ITEM # 11 MANAGER COMMENT**

1. Manager Gray said that the Trenton Avenue study, being conducted by URS, will be presented during an open house on Wednesday, March 19<sup>th</sup> from 7-9 p.m. in the Eleanor Roosevelt Elementary School cafeteria. This will be to review improvements and recommendations and provide feedback to URS.
2. Member Galloway moved to approve the \$5,775 donation for Historic Fallsington Day to be held on October 11, 2014; Member Dence seconded the motion; all board members were in favor. (4-0)



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3. Member Galloway moved to ratify the State of Emergency for the recent snowstorm, for the times of 6 p.m. on Sunday, March 2, 2014 to 5 p.m. on Monday, March 3, 2014; Member Dence seconded the motion; all board members were in favor. (4-0)
4. Manager Gray said the township is looking to hire Assistant Managers and lifeguards for the Pinewood Pool. If anyone is interested in applying, they can stop at the township building to fill out an application.

### ITEM # 12 BOARD COMMENT

Member Rocco moved to approve Resolution # 14-7, appointing Mr. Jason Lawson to the Zoning Hearing Board; Chairman Harvie seconded the motion; all board members were in favor. (4-0) Member Dence moved to appoint Mr. Bill Byer to the Township of Falls Authority; Member Rocco seconded the motion; all board members were in favor. (4-0)

Member Dence spoke about the recent weather we've been having. Member Dence announced the Que for the Troops event which will be held on Friday, June 6<sup>th</sup>. The next day (June 7<sup>th</sup>) will be the Falls Township Community Day.

Member Galloway said the township has received the Comprehensive Township Financial Report award. Great job to all involved in receiving this award. Member Galloway announced the 26<sup>th</sup> Annual Bucks County St. Patrick's Day Parade will be held at 10 a.m. on Saturday, March 15<sup>th</sup>. The parade will begin at St. Joseph The Worker Church and travel along New Falls Road, ending at the Bucks County Technical High School. There will be a mass at 8 a.m. This year's Grand Marshal is State Senator Chuck McIlhinney. There will be a Hoolie from 12-5 p.m. at the Eagles Lodge. Member Galloway encourages everyone to come out and enjoy the day.

Chairman Harvie announced upcoming events for the Levittown Fire Co. No. 1. The Fabulous Greaseband will be performing on Saturday, March 15<sup>th</sup> from 7-11:30 p.m. Tickets are \$35 each. There will be a Designer Bag Bingo on Saturday, April 5<sup>th</sup>. Tickets are \$25 each or \$30 at the door (if tickets are still available). For information on either of these events, please call 215-791-1309 or 215-945-4231. The Environmental Advisory Committee (EAC) said there will be an Earth Day celebration on April 26<sup>th</sup>. The EAC is working together with the EAC from Lower Makefield and Middletown and they are doing a very large event at Core Creek Park. There will be numerous exhibitors that day and there will be information available to the public. The Falls Township community garden is always sold out. It is very popular and a lot of work goes into that. Our Public Works Department also does a lot of work to keep this up. Chairman Harvie said they have had some complaints over the years about the flooding behind Chatham Road. This property belongs to the county so, unfortunately, there is not a lot the township can do. The township has reached out the county numerous times and most recently sent the county a letter informing them that any circumstances that arise from their negligence of this property, will fall on them, not the township. That letter got some attention from the county. The county asked for an engineering firm to look at ways to fix the problem and they have briefly been in touch with Mr. Sullivan. Chairman Harvie said another area of concern is around North

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Park and Elderberry where FEMA has declared a flood zone. This forces property owners to pay for flood insurance. There have been several families who have pulled resources to see what they can do. The township is doing what they can, but are limited in their power especially when it comes to state and federal laws. Chairman Harvie wished everyone a Happy St. Patrick's Day and invites everyone to come out to the St. Patrick's Day Parade on March 15<sup>th</sup>.

Member Dence moved to adjourn the meeting; Member Galloway seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 8:48 p.m.

  
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Jeffrey Rogge, Secretary