

**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	ABSENT
JEFF BORASKI, SUPERVISOR	PRESENT

The meeting commenced at 7:11 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Dence and Member Galloway who both had prior commitments this evening. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan. A moment of silence was observed in memory of the innocent lives that have been lost in recent violent attacks.

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

Mr. Guido Mariani said Mr. Kenney broke his hip and is unable to be here. Mr. Mariani said during the last meeting, Member Rocco mentioned about crosswalks that were soon to be put in place on New Falls Road. Mr. Mariani believes it is a long time plan of the board to have sidewalks on both sides of New Falls Road and to do this, it would cost well over \$1M. Mr. Mariani suggested that since PennDot has agreed to pay for some sidewalks in surrounding municipalities, and before you go any further, get in touch with PennDot and see what kind of assistance they can give us. Mr. Mariani said the PA General Assembly enacted the Medical Marijuana Act which legalizes medical marijuana and allows for growers, processors, and dispensaries to open up in PA. Mr. Mariani said if a municipality does not have specific regulations to address the new businesses, it would have to choose the existing categories we already have in the zoning ordinance that closely match the use and allow the businesses to operate here in the township. A pharmacy next to a school or in a residential neighborhood is one thing, but a pot dispensary is another thing. Mr. Mariani asks if we have given adequate consideration for the public safety. Chairman Harvie said the general assembly's decision to move forward with that law does make us take a look at these issues. Ms. Gallagher has been looking at our sub-division ordinance and looking at different issues that need to be tightened up. Mr. Clarke said at this time they are waiting for the state to issue the regulations and guidelines on a variety of things. Until those guidelines and rules are issued, it is tough for us to put it into an ordinance but we will continue to look at this. Chairman Harvie said he doesn't have any plans to have a sidewalk on the Thornridge side of New Falls Road. He would like to see no walking/no biking signs on that strip of Thornridge just to make it clear that people shouldn't be there. There is a pretty big shoulder, but his thought process is that there is no barrier between the businesses on that road and where people would walk. PennDot would not allow them to erect guardrails or curbing. It did not create a safe environment. Member Rocco said enhancing

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the crosswalk is to enable them to get over to the sidewalk. Chairman Harvie said the sidewalk is very close to completion.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 11 YARDLEY AVENUE
TMP # 13-020-288 – RE-ROOF DETACHED GARAGE**

Member Rocco moved to approve the Certificate of Appropriateness for 11 Yardley Avenue to re-roof the detached garage; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 3 CERTIFICATE OF APPROPRIATENESS – 94 MAIN STREET
TMP # 13-020-262-001 – CONSTRUCT A 12' X 20' DETACHED
ACCESSORY STRUCTURE**

Member Rocco moved to approve the Certificate of Appropriateness for 94 Main Street to construct a 12' x 20' detached accessory structure; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 4 CERTIFICATE OF APPROPRIATENESS – 64 MAIN STREET
TMP # 13-020-258 – REPLACE WOOD FENCE WITH KHAKI/ADOBE
VINYL FENCE**

Member Rocco moved to approve the Certificate of Appropriateness for 64 Main Street to replace the wood fence with a khaki/adobe vinyl fence; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 5 HIOSSEN, INC. – WAIVER OF LAND DEVELOPMENT –
85 BEN FAIRLESS DRIVE – TMP # 13-51-001-020**

Manager Gray said the applicant is proposing improvements for a two-acre portion of the property. Representing the applicant is Mr. Tom Jennings from Curtin and Heefner. He is here on behalf of Nicholock Paving Stones, LLC which has entered into a licensed arrangement with Hiossen, the property owner. Mr. Eric Clase from Gilmore and Associates, Mr. Robert Nicolìa, CEO of Nicholock, and Mr. Anino Nicolìa, Business Development Manager of Nicholock were also present. Mr. Jennings said this application is for waiver of land development on a 2-acre portion of the Hiossen property. The use is for display and distribution of the applicant's paver materials. The applicant requests a waiver from Section 191-48A in regard to street trees. Mr. Clase provided information on the project plan. Chairman Harvie asked about the business part of this. Mr. Nicolìa said they have three manufacturing facilities. The stones will be delivered by tractor trailer. In the future, they hope to transport from rail. They are a 50-yr. old company and have close to 400 employees. They are looking to eventually build another factory at this site which would employ an additional 20-30 people. Member Rocco moved to approve Resolution # 16-21, waiver of land development for Hiossen Inc., TMP # 13-51-001-020; Member Boraski seconded the motion; all board members were in favor. (3-0)

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**ITEM # 6 MORTON SALT, INC. – WAIVER OF LAND DEVELOPMENT -
100 MIDDLE DRIVE – TMP # 13-051-001**

Chairman Harvie said one of the main professionals for this applicant was unable to be here this evening. Member Rocco moved to table the Morton Salt, Inc. waiver of land development to the next meeting – August 15, 2016; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 7 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE 2016
FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM**

Manager Gray said the township received a letter from the township engineer dated July 11, 2016 in regard to the 2016 Road Improvement Program. Bids were publicly opened on June 29, 2016 as follows: General Asphalt Paving Co., Inc. in the amount of \$755,994.26 and James D. Morrissey, Inc. in the amount of \$1,003,750. Based on the bid evaluation, General Asphalt Paving Co., Inc. is the lowest responsible bidder for both the base bid and the alternate portion of the road improvement project. This project is for reconstruction of Howley Drive and mill and overlay of half of Mill Creek Road. Member Boraski asked about details in the bid and about change orders. The budgeted amount for this project was \$725K. Member Rocco moved to authorize the Engineer's office to issue the notice of intent to award the 2016 Falls Township Road Improvement Program to General Asphalt Paving Co., Inc. in the amount of \$755,994.26; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 8 CONSIDER PROPOSAL FROM REMINGTON & VERNICK, INC.
FOR ENGINEERING AND ADMINISTRATIVE SERVICES FOR THE
GREEN LIGHT GO PROJECT FOR THE MILL CREEK PARKWAY
& LEVITTOWN PARKWAY INTERSECTION**

Manager Gray provided information on the Green Light Go project for the intersection of Mill Creek Parkway and Levittown Parkway. The board is asked consider the proposal from Remington & Vernick, Inc. in the amount of \$34,590 which includes engineering and administration. Mr. Christopher Fazio reviewed the scope of work for this project. Chairman Harvie asked about the timetable for this project. Mr. Fazio said if it is awarded tonight, in about 60 days they will have the design package ready to go out to bid. They can't go out to bid until they get the PennDot approval. Member Rocco moved to award the proposal for engineering and administrative services for the Green Light Go project for the Mill Creek Parkway and Levittown Parkway intersection to Remington & Vernick, Inc. in the amount of \$34,590; Member Boraski seconded the motion; all board members were in favor. (3-0)

Member Rocco asked for an update on the New Falls Road sidewalk project. Mr. Fazio said the remaining items are the striping, the punch list items, and the curb stops. The contractor said they plan to have all of that completed by the end of this week. Regarding the drain, they are waiting to hear back from PennDot for a solution to that issue. Chairman Harvie said there was one business owner who was complaining about the installation of a curb in front of her store. For clarification, the individual who owns the store does not own the

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property. The landlord was shown the plans about three years ago and was involved in a discussion with members of the staff here. This is something they did notify all of the property owners about and provided them with information. It should be a better situation when it is all finished.

ITEM # 9 CONSIDER THE 2016-2017 DIESEL AND UNLEADED FUEL BIDS FOR FALLS TOWNSHIP

Manager Gray said Mr. Jason Lawson in the Public Works Department recently received the Bucks County fuel information which was opened up by Upper Southampton Township. The results were forwarded to Falls Township. After review, Mr. Lawson is recommending Riggins Inc. for the purchase of ultra-low sulfur diesel fuel and Superior Plus Energy Service for the purchase of unleaded regular fuel. The board is asked to consider these two vendors at this time. Member Rocco moved to approve the Bucks County Consortium 2016-2017 diesel and unleaded fuel bids for Falls Township as outlined in the memorandum dated June 23, 2016; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 10 CONSIDER RESOLUTION FOR 115 LINCOLN HIGHWAY SEWAGE FACILITY PLANNING MODULE

Manager Gray provided information on the sewage facility planning module. This is standard procedure for approving the sewer components of new development projects that either differ from the previous use of the site or differ in terms of anticipated sewage flow from the site. Member Rocco moved to approve Resolution # 16-22 for 115 Lincoln Highway sewage facility planning module; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 11 MINUTES – JUNE 20, 2016

Member Rocco moved to approve the minutes from June 20, 2016; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 12 ENGINEERS REPORT

Mr. Sullivan gave an update about the 2016 Road Program. The notice of intent to award the bid will be issued this week and at the next meeting they should have finalization of the award. They hope to have the project start in late August. The Three Arches project is about 70% complete. Most of the restoration work is done. For the 2013 Road Program, Mr. Sullivan has begun negotiations with J.D. Morrissey to avoid putting them in default. They have agreed to do some work. Hopefully, they can work all of that out before the next meeting and get the work completed. Chairman Harvie asked about the Alden Avenue bridge timeline. Manager Gray believes that would be completed by the beginning of the school year; around Labor Day. Member Rocco moved to approve the June Engineer's report dated July 15, 2016; Member Boraski seconded the motion; all board members were in favor. (3-0)

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ITEM # 13 BILL LIST

Member Rocco moved to approve the bill list in the amount of \$1,968,386.19; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 14 EXECUTIVE SESSION

Mr. Clarke said prior to tonight's meeting, the board held an Executive Session to discuss two personnel matters, a matter of potential litigation, and a litigation matter involving a land development project here in the township.

ITEM # 15 POLICE CHIEF REPORT

- Police Chief William Wilcox thanked the residents and businesses of Falls Township for the outpouring of good will, food, and support.
- Chief Wilcox thanked the Falls Township Supervisors and the Police Association of Falls Township for our Honor Guard attending the funeral of the officers in Dallas.
- We have a business in Falls Township, the Stadium Restaurant on Lincoln Highway, who is facilitating the purchase of police vests for our new officers. More information will follow.
- There were recently 8 burglaries in the Hedgerow section. Five of the homes were occupied. People are very much concerned. The police have some good leads and hope to make an arrest.
- Drug Enforcement – things are going very good in this area and they have had some good arrests.
- Traffic continues to be one of their number one priorities. We are taking advantage of the grants that we have with the Department of Transportation and it is going very well.
- Chief Wilcox said that Member Boraski had an idea of interacting with the community with the bike patrol. On a recent weekend, the bike patrol covered 14 square miles and they interacted with a lot of people. During the patrol, they responded to a boy choking. They will continue with this program in August and through the fall.
- The Youth Academy started last Wednesday and is in full operation. If board members have any free time, Officer Yeager would like you to stop and see what is going on.
- Chief Wilcox said their staff continue to post Facebook updates.

Chairman Harvie said last year the police department provided shirts to the board members which they are wearing tonight.

ITEM # 16 MANAGER COMMENT

- A. Member Rocco moved to approve the extension of time for waiver of land development project at 925 Old Lincoln Highway (Big Bear) to November 16, 2016; Member Boraski seconded the motion; all board members were in favor. (3-0)
- B. Member Rocco moved to approve the McGrath Homes extension to October 31, 2016; Member Boraski seconded the motion; all board members were in favor. (3-0)

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- C. Member Rocco moved to approve the extension of time Pennsbury Manor waiver of land development to October 22, 2016; Member Boraski seconded the motion; all board members were in favor. (3-0)
- D. Member Rocco moved to approve the extension of time for Family Dining (Burger King) to August 31, 2016; Member Boraski seconded the motion; all board members were in favor. (3-0)
- E. Manager Gray announced the new businesses in the township. They are: Vanguish Fencing, Izabella's Beauty Studio, AB Installations, Dascase Technologies, and Keystone Bagels.

ITEM # 17 BOARD COMMENT

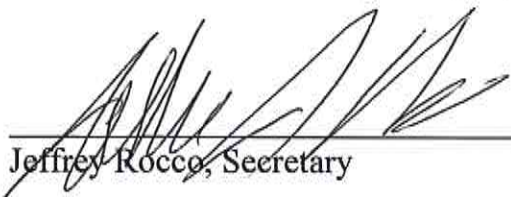
Member Boraski – no comment.

Member Rocco – no comment.

Chairman Harvie said to follow up on a request from a gentleman who attended the last meeting, there was a request to check with a property owner of the quarry on Penn Valley Road to see if they would allow fishing on their property. They checked with the owner and the owner is not interested in allowing anyone to fish on his property. Chairman Harvie asked people to keep in mind the elderly and neighbors who have health problems. If there are problems or an emergency that arises from the extreme heat, calling 9-1-1 is your best bet. Please help out each other for the next few months. Chairman Harvie said some things go on around the country and we all talk about wanting the country to be better. It doesn't get better unless the people who live in the neighborhoods in the township make it better. The more people who volunteer and help out in the community, the better the community will be. Hopefully we can get the country back where it needs to be.

LYFT – Mr. Tim Philpot, Project Director for LYFT said they are very appreciative for the gift and grant from Falls Township. They have worked with Falls Township, the Parks and Rec Department, the Police Department, and citizens. For the last 15 years, LYFT has been able to make a difference in our young people and encourage them to make better decisions. They could not continue the work they do without the support from the township.

Member Rocco moved to adjourn the meeting; Member Boraski seconded the motion; all board members were in favor. (3-0) The meeting was adjourned at 8:06 p.m.



Jeffrey Rocco, Secretary