

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:08 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Boraski and Member Galloway who both had family commitments this evening. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

PRESENTATION FROM THE FALLS TOWNSHIP POLICE DEPARTMENT TO THE PENNSBURY ELEMENTARY & PENN RYN SCHOOL STUDENTS WHO PARTICIPATED IN THE “CHIEF FOR THE DAY” PROGRAM

Chief Wilcox explained the Chief for the Day program. Children are chosen by their principals and teachers from the following schools: Eleanor Roosevelt, Fallsington, Manor, Oxford Valley, Penn Ryn, and Penn Valley. Chief Wilcox thanked everyone who helped with this program, especially Judge Vislosky, Lt. Ward, Lt. Pletnick, Lt. Arie, Mrs. Seiler, the detectives, lieutenants, police officers, board members, and the parents for allowing their children to participate in this program. Certificates were presented to the children who participated.

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

Mr. Mark Brown wanted to talk about septic tank inspections. He said the Board of Health comes around every year and wants to know what the Department of Environmental Protection (DEP) is going to do that the Board of Health doesn't already do. Chairman Harvie said in terms of that ordinance, that is an ordinance which is mirroring what the state law already says about on-site sewer systems. Mr. Clarke said item # 10 is to consider a resolution for the Act 537 Plan update. This is something we are updating and something we are required to do with the DEP to update the documents for submission to them. We have to update the 537 Plan because of a connection ban imposed by Bucks County Water and Sewer through the DEP. We have been in negotiations for the last 1-1/2 years in an attempt to resolve this connection ban. This connection ban means that if anyone wants to increase the size of their business, they have been unable to connect to the sewer system because of this connection ban. As part of the negotiations with Bucks County Water and Sewer and the DEP, the DEP is requiring that we update our sewer management program

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plan and that is what item # 3 is for this evening. Much of what is contained in this sewer management plan is already contained in township ordinances in various parts and to a lesser extent, the Township of Falls Authority (TOFA) rules and regulations. Basically, tonight we are taking various rules that are spread out throughout the township code and putting them in one sewage management plan at the direction of DEP. Chairman Harvie asked if this ordinance we are passing tonight adds anything to the powers of the township. Ms. Gallagher said it modifies some of the requirements; the main change from what is currently existing in the ordinance is that every three years property owners who use an on-site system are required to provide proof to TOFA that they have pumped and hauled away from site. Mr. Brown said he heard that you should pump every two to three years, but then someone who lived there said they just use K37 every six months. He doesn't know whose idea it was saying you have to pump the system, but he feels it is not true. Mr. Brown asked how this came about. Chairman Harvie said we have multiple projects in the township and we are not allowed to allow them to move forward because DEP is not letting us move forward. The DEP is saying you have to do these things. The ordinance authorizes TOFA to establish specific regulations regarding the frequency and the scope of the inspectors based on the model ordinance of the DEP. The ordinance authorizes TOFA to administer this program. You have to update this on-site sewer system ordinance and you have to update the 537 Plan. Mr. Clarke said these are for systems that are not connected to Lower Bucks Joint Municipal Authority or Bucks County Water and Sewer. These are on-lot systems. Somebody has to have the inspection authority in the township. Member Dence said it is at the discretion of TOFA to inspect the tanks.

Mr. Mark Veigel asked who is getting the money for these fees and what does he get for it. Chairman Harvie said inspection fees usually don't cover the costs of inspectors, but it would be for the TOFA inspector. Mr. Veigel said he feels like he is getting penalized because he has a septic system. He has had the same pumper and he may now not be able to use him. Mr. Clarke said the septic tank shall be pumped by a qualified pumper/hauler within six months of the effective date of this ordinance. Mr. Clarke is assuming that who the speaker uses now is already qualified and licensed. This is something that is already existing in our ordinances. The township is being told we must do this by the DEP. The DEP has jurisdiction over your system and they are telling us we must do this. Mr. Veigel said they are being forced to pay this extra tax. Mr. Clarke said it is an inspection charge. Chairman Harvie said we name people to the TOFA board. The board functions independently and they set the fees. We have been fighting with DEP on various things. The DEP won't let us move forward on certain projects. They absolutely refuse. They are telling us you have to do this. They are telling us you have an area in your township that has on-lot systems that have to be regulated more strictly. No one knows how much this will cost. The DEP has previously told us that in the future, they may come to us and anyone who has an on-lot system would be forced to connect and that would cost you about \$10,000. Mr. Clarke said the way the law is written, if we run a sewer line to your house, you are responsible for paying for the cost of the sewer line. Mr. Veigel wants to know what it is going to cost before you pass the ordinance. Chairman Harvie said the TOFA board has a public meeting the fourth Wednesday of each month and their offices are in the old Sears warehouse building on Lincoln Highway. The next meeting is July 25th. Chairman Harvie doesn't think TOFA will be passing this right away. They have to figure out their fees, but we have

to empower them before they can even have a discussion. We think they will keep the fees manageable. We try very hard to keep the fees low.

Mr. Bob Wing asked who drew up this draft. Chairman Harvie said this is a sample from the DEP. Ms. Gallagher said it is DEP's model ordinance, modified for Falls Township. Mr. Wing asked if the township has had any problems with homes that have on-site sewage. Chairman Harvie said he doesn't know of any. The biggest area with an on-lot system is Pennwood Crossing. Mr. Wing said if they had sewage spill into their yards, he could understand this, but these homes have been here for 40-50 years or longer. How are you going to send someone out there to inspect something that you have no idea where it is or how it was built? Member Dence said it is not the Board of Supervisor's decision. We have nothing to do with this. We are being forced by the DEP. Mr. Wing said a neighbor lost the sale of his home because he has to prove the septic system can handle at least a family of four. Chairman Harvie said systems don't last forever and future property owners would want to know what the system could handle. Chairman Harvie said this isn't the case of we need to pass something because there are problems. The DEP is forcing us to do this. They are saying in order for you to move forward with existing or new projects, you have to do this. We have fought this for over two years. Chairman Harvie said the fee should be similar to if we sent out an inspector to inspect your house; it will be to cover the expenses. Member Rocco said if the DEP requires us to do this, we have to do it. Mr. Clarke said even if we weren't under a connection ban we would be required to periodically update our 537 Plan. As part of the 537 Plan update, DEP comes back to us with comments. In their comments, they have told us there are various things we have to do. There are other things DEP is making TOFA do. As part of the 537 Plan update, DEP is insisting us to pass this sewage management ordinance plan update. Mr. Wing said in the USX agreement, it says they can get a master plumber or utility contractor; why can't homeowners have the same thing? Why do we have to have their certified inspector? Mr. Carke said USX has their own sewage treatment plant, their own permit with DEP, and their own NPDES permit. They are their own separate entity and that is why they have the carve out for USX. They have their own discharge into the Delaware. Mr. Clarke said this is the model DEP ordinance. The only two changes we made are for USX and giving the enforcement authority to TOFA instead of keeping it with the township. Mr. Wing asked if they can have a certified plumber inspect their system. Member Dence suggested Mr. Wing check with TOFA on that question. Chairman Harvie said we will continue to have communications with TOFA in terms of letting them know that understandably people are very concerned about the permit fees.

Mr. James Mayger said the Sunshine Law requires you to advertise this for this date. He asked if there was an error in the advertisement. Mr. Clarke said the top of the advertisement has the correct date. Mr. Mayger asked about the advertisement date. Mr. Clarke said it was July 10th. Mr. Mayger asked how you can make a decision on something without set fees. He knows where his septic is located and he doesn't have a problem if he has to replace it. How can he pay for the inspection fees if he doesn't know how much they will be. Chairman Harvie said it is handled by the other authority. Mr. Mayger said before you can pass this, you have to establish the fees. Member Dence said we are required by the DEP to pass this ordinance. It has nothing to do with us. We do not set the fees. Mr. Mayger spoke about the lake on Penn Valley Road and what is being dumped into this lake.

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Mr. Mayger said the supervisors should go to the TOFA meeting and establish the fee schedule. Chairman Harvie said the lake in question is a private mining operation and we have no control over it. We pass our own fee schedule. Mr. Clarke said TOFA is a separate legal entity from the five board members. This board has no authority to set their fee schedule and no authority to direct them on anything. All you do each year is you appoint a board member to serve on the TOFA board. Member Rocco believes the fee will be reasonable. Mr. Mayger asked why you didn't invite Lower Bucks County Joint Municipal Authority to the meeting. Mr. Clarke said they have nothing to do with this. Mr. Mayger asked for a set fee schedule prior to passing this change.

Mr. Raymond Ceriani is curious as to why you had the neighborhood come out here for a meeting about this issue if you were not prepared to let us have any information about what is taking place. You also said you are not TOFA, and everyone in his neighborhood knows they get billed for water usage. The water quality fails every year and every notice they get says water failure. We never get any information about whether the water is okay to drink. Mr. Ceriani said he has a brain disease and they don't know what caused it. He didn't have it before he moved into his home in 2000. He often wonders if it is something from the water. He had two dogs and both died from a rare skin disease. Mr. Ceriani said what these people are here for is to find out information as to why you had this meeting. You cannot tell us anything about why they are here. We would like information on fees and how often the inspector will come out. He knows that his house was one of the first houses built right after that section was established. He has about a 78-year old septic. His neighborhood has never had a problem. He wants to know, if they are properly maintaining their properties, why are you coming in now? To him, it looks like this is about money. Chairman Harvie said this is not something in terms of money coming to us. We can make suggestions to the TOFA board members, but he doesn't believe they will make the fees astronomical. We have said several times this is something we have to do by law. Mr. Ceriani said he understands the DEP is saying this must be done. What does the DEP have to do with the quality of our drinking water? Chairman Harvie said the water is tested and it has to pass certain tests. If the water systems are out of compliance, they have to correct it, otherwise they cannot be in operation. A question was asked if there is any point in going to the TOFA meeting if you pass this tonight. Chairman Harvie answered yes. Chairman Harvie said TOFA is who will set the fees, so he encourages people to attend the TOFA meeting. Mrs. Ginny Ceriani said this is crazy that we are all here tonight. You people have done nothing but pass the buck. We are here because we need to talk to someone, but you are telling us that you have nothing to do with it. Member Dence said we are being forced to do this. We didn't choose to do this. This is enforced by TOFA. We have no water and sewer authority here in the township building. There is a water and sewer authority down the road. We do not control this. All we do is appoint the board members; it is a separate entity. Mrs. Ceriani said they have lived there for years and years and all of a sudden, the DEP is saying you have to do this now? She doesn't believe that is true. Member Dence said it is absolutely true. Mrs. Ceriani continued to express her displeasure with the DEP's decision. Member Dence said if you are buying a home, you are not going to take someone's word for it that their septic system is okay. Chairman Harvie gave a very detailed explanation of why this needs to be done. If there is a family of 2 people who sell their house to a family of nine, how do you know if your system will handle nine people? That is the reason for the

certification. We have to make sure that all of these are being inspected by qualified inspectors. The DEP is saying it has to be someone from the township. If you have to meet certain standards, she can understand that. She takes responsibility for anyone who is on her property. Chairman Harvie said if your septic leaks, it doesn't stay on your property. Mr. Clarke said speakers referenced some rumors they have heard. There may be someone out there spreading some bad information. They can raise your fees at any time. If you are using a certified company now, you should be able to continue to use them. They have to be certified. If you are using someone now who just pumps out your system and we don't know what they do with it, where they take it, or they do not have proper certification, you will not be able to continue to use them.

ITEM # 2 AAA CLUB ALLIANCE (AAA MID-ATLANTIC) – CONDITIONAL USE – 500-516 OXFORD VALLEY ROAD – TMP # 13-003-035-001 AND TMP # 22-057-011-001

Member Dence moved to open the Conditional Use hearing for AAA Club Alliance (AAA Mid-Atlantic); Member Rocco seconded the motion; all board members were in favor. (3-0) Mr. Clarke said this is a Conditional Use hearing. The applicant is AAA Fairless Hills. The property is located at 520 Oxford Valley Road, Langhorne, PA, 19047, Tax Map Parcels 13-003-035-001 and 22-057-011-001, located in the Township of Falls, Bucks County, PA. The application is here to request a Conditional Use to operate an automobile service station at the referenced address, which is located in the HC zoning district. This Conditional Use hearing has been properly advertised. The applicant is represented by Attorney Debbie Schultzke. Mr. Clarke provided information on the format for the Conditional Use hearing. Ms. Schultzke said Mr. Brett Jarrett, on behalf of the applicant, Mr. Jay Gain, on behalf of the shopping center, and Mr. Andrew Zerbe, Site Civil Engineer are also present this evening. Mr. Clarke asked Ms. Schultzke to give a brief overview of her client's project, have the witnesses come forward to be sworn in, briefly summarize their testimony, ask your witnesses if they agree with your summary, and then you and your witnesses will be made available for questions by board members and any member of the public who has requested and been granted party status. The first witness is Mr. Jay Gain and he would testify that he is an agent on behalf of the shopping center which is 69th Street Properties LP. The applicant is authorized to proceed with the application pursuant to a lease agreement, marked as Exhibit A-2. The applicant is authorized to restripe certain parking spaces from 10 x 20 to 9 x 18. That would summarize Mr. Gain's testimony. Mr. Gain agreed with this testimony. Mr. Brett Jarrett (Development Manager, MPV Properties), representing the applicant, AAA Club Alliance, would testify that their business is going into the old Ethan Allen furniture building for the purpose of the AAA car care center. They do not plan for the sale or dispense of gasoline at this time. They will have an office component which will sell insurance and travel items such as vacation packages and the component will include tag, title, and DMV functions. The car center will perform expert diagnostics, state inspection, repairs and maintenance. The car center will be open seven days per week. It will operate Sunday from 10 a.m. – 4 p.m., Monday to Friday from 7 a.m. to 7 p.m., and Saturday from 8 a.m. to 5 p.m. Exhibit A-8 shows an elevation plan. This would conclude Mr. Jarrett's testimony. Mr. Jarrett agreed with this testimony. The next witness is Mr.

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Andrew Zerbe, Site Civil Designer. He would testify that his office prepared the Conditional Use plan, Exhibit A-7. The plan includes a turning plan. The Zoning Hearing Board's decision is marked in the exhibit package. The applicant will have to re-locate eleven parking spaces by restriping certain portions of the shopping center. Mr. Zerbe will testify that he received a 'will serve' letter from the Bucks County Water and Sewer Authority, marked as Exhibit A-4. Exhibit A-3 are the Township review letters. Most of those letters are will comply and have been addressed in the plans that are submitted in the package you received this evening. There are a few clarifications with respect to the letters. In the Remington and Vernick traffic impact study letter, we have had a discussion with the township solicitor and they have agreed that since this is re-development with minimum site improvements, a traffic impact study is not required. In that same letter, there was a comment about the parking stalls being 10 x 20. There is an inconsistency between the subdivision and land development ordinance and the zoning ordinance which says 9 x 18 and we believe the Zoning ordinance would prevail and the spaces can be 9 x 18. Lastly, in the Remington Vernick letter, there was a comment about more than 20 parking spaces. That is already an existing condition on the site and not being increased. The only other clarification is with respect to the Shade Tree Commission letter. We are not clear about how much more landscaping they were looking for. We are not changing the site. There is already existing vegetation and it backs up to the railroad. We did increase some vegetation, so we think that covers the spirit and intent of the Shade Tree Commission letter. It is our belief that the proposed automobile service station use meets the applicable zoning ordinance requirements set forth in Sections 209-23, 209-50F1A-F, and 209-50G1-4. Mr. Zerbe agrees with this testimony. Member Rocco asked where the bays would be located and also questioned about sidewalks. Mr. Zerbe indicated the bays on the diagram. He said in the Jones Engineering Associates letter, originally they had an area that is currently paved and the sidewalk area was to be reduced to 5-foot wide, but per that letter, they have revised it so they are now 6-foot wide. Chairman Harvie said the fire marshal had a letter about turn radius. Mr. Zerbe said the fire lanes will be preserved. They are maintaining the adequate widths. Originally, they were proposing parallel lanes in the rear of the building which would make it hard for firetrucks, but since then, they have revised their layout so they feel that is no longer necessary. They have provided a vehicle turning template per the Jones Engineering Associates letter, which addresses the turning within the paved access drive area. Member Rocco asked if the existing non-conforming applies as stated in regard to parking spaces. Mr. Clarke said yes, it does. Member Harvie asked if the AAA office would be moving here. Mr. Jarrett said yes. Mr. Sullivan said you don't intend to apply for land development approval; is that correct? Mr. Zerbe said correct. Mr. Sullivan said you will apply for a township earth disturbance permit. Mr. Zerbe said correct. Ms. Schultzke asked for the exhibits to be accepted into the record. No one sought party status for this Conditional Use hearing. Member Dence moved to close the Conditional Use hearing; Member Rocco seconded the motion; all board members were in favor. (3-0) Member Dence moved to open public comment; Member Rocco seconded the motion; all board members were in favor. (3-0) Mr. Jason Fidishun expressed concern over the number of parking spaces. He said he visits the shopping center and believe parking will be nightmare. Mr. Fidishun said at a garage, repairs will not be done instantly, and cars could sit for days and days. Mr. Jarrett said if they do require next-day service, they will be housed inside the

building. Member Dence moved to close public comment; Member Rocco seconded the motion; all board members were in favor. (3-0) Member Dence moved to grant Conditional Use approval for AAA Club Alliance (AAA Mid-Atlantic), 500-516 Oxford Valley Road, TMP # 13-003-035-001 and TMP # 22-057-011-001; Member Rocco seconded the motion; all board members were in favor. (3-0)

ITEM # 3 CONSIDER ADOPTING ORDINANCE ESTABLISHING SEWER MANAGEMENT PROGRAM AND AMENDING ORDINANCE CHAPTER 184 – SEWERS AND WATER PLAN

Member Rocco asked if there may be modifications in the future. Ms. Gallagher said it would need to be done by a future ordinance and potential re-submission of the Act 537 Plan. Member Dence moved to open public comment; Member Rocco seconded the motion; all board members were in favor. (3-0)

Mr. Dan Bennett understands the DEP is making you put this in. Chairman Harvie said the overall goal is to make sure the on-line septic systems are safe. Mr. Bennett asked if the DEP can force them to tie in. Chairman Harvie said yes. Chairman Harvie asked Mr. Clarke about the typical connection fees for someone connecting. Mr. Clarke said technically, there would be three different charges. The first charge is assessment for the sewer line running down the street. The assessment is the cost of the project divided by the number of properties involved. The next charge is a tapping fee to tap into the system. In Bucks County, the tapping fee can range anywhere from \$3,500 to \$15,000. For the third fee, for most of these on-lot systems, the pipe from their sanitary runs out the back of their property and it would need to be moved to the front of the building to connect to the sewer main out in the street. In the last five years, the DEP has required Northampton Township to move to sewer in an area of their township. When DEP requires you to move to sewer, it is normally because there are a lot of failing on-lot systems. Mr. Bennett asked who they should contact to fight this. Chairman Harvie said to contact State Senators.

Mr. Bob Wing asked if there were any way the inspection could be done every three years or so and not every year. Mr. Clarke said it is up to TOFA. This has to be done within the first year and then it has to be done routinely after that. Mr. Clarke said an initial inspection shall be conducted by an authorized agent within one year of the effective date of this ordinance to determine the type and functional status of each sewage and disposal system in the sewage management district. A written report shall be furnished to the owner of each property and a copy of each report shall be maintained in the authority records. A schedule of routine inspections may be established to make sure of proper functioning of the sewage systems in the sewage management district. Mr. Wing asked about certification of the pumps. As an example, Chairman Harvie explained how the township certifies wreckers on the tow list. They have to meet a certain criteria and submit paperwork each year.

Ms. Melanie Talbert said she received a letter about this issue. Chairman Harvie said the township did not send out the letter. Ms. Talbert said they work hard to maintain their septic. She wonders if TOFA will be able to answer all of their questions. Ms. Talbert asked if the board can relay this information to them. Member Dence said yes. Ms. Talbert said they appreciate the board listening to their comments this evening. Chairman Harvie said he spoke to a supervisor from Doylestown and they are having similar issues such as

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this. Some of their residents have to pay \$20,000 just to run a line from the street to their home. Chairman Harvie apologizes about what you are going through. He doesn't believe TOFA is looking to make money, but this is something they have to do. He believes they will look for ways to do this economically.

Ms. Shara Begley said she is disappointed that between the supervisors and TOFA, you do not have the facts. You should know how many people have on-site septic systems. You have to understand that we are hard-working people and we are here because we care. You are not prepared to answer questions from residents. She thinks the water authority and TOFA should have met together first, before this even came up to be passed, to give us the answers we need. It may be more difficult for people to sell their homes, but it is possible. She thinks the township should have notified the residents about this. Chairman Harvie apologized about the notification part.

Ms. Fran Bedekovich said she has lived in her residence for 14 years. If the DEP is so concerned, why haven't they been to her property? She is concerned because all of her neighbors are on septic. She doesn't want to have a problem so she does everything she is supposed to do to prevent a problem. She has followed all the rules and does everything she can to keep her property safe. Chairman Harvie said they want people to be pro-active and be responsible. The inspector will come out some time in the next year to check on the septic and see where it is. The reason you have not seen anyone from the DEP is because they are depending upon local agencies to do this. Mr. Clarke said the DEP won't act on the 537 plan or connections until this is passed. He said we have answered the questions people have had and provided them the information. TOFA will do the inspections and TOFA will set the fees. They are doing the initial inspection so there is a catalog of all the systems and then a routine inspection 'may' be established.

Mr. James Mayger asked what happens to the township if you don't pass this tonight? Is this because of the new businesses that want to connect? Why don't you delay this until another meeting? Member Rocco said if we table this and they come up with something, you may not like it. We will work with them and it will be reasonable and not excessive. Mr. Mayger said he received some information that if anyone has a problem with their septic, there is a betterment program and you can get up to \$6,000 to help. Member Dence moved to close public comment; Member Rocco seconded the motion; all board members were in favor. (3-0) Member Rocco moved to approve Ordinance # 18-3, Establishing Sewer Maintenance Program and Amending Chapter 184 – Sewers and Water Plan, Member Dence seconded the motion; all board members were in favor. (3-0) There was a break in the meeting at 9:17 p.m. and the meeting reconvened at 9:27 p.m.

ITEM # 4 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE 2018 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM

Manager Gray said three bids were received for the 2018 Falls Township Road Improvement Program. They were: General Asphalt Paving Co., Inc. in the amount of \$2,207,644.40; James D. Morrissey, Inc. in the amount of \$2,233,646.70; and Scott Contractors, Inc. in the amount of \$2,811,547.00. Member Dence moved to award the bid for the 2018 Falls Township Road Improvement Program to General Asphalt Paving in the amount of \$2,207,644.40 and also authorize the township manager to finalize the bid if the

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contractor passes the Approved Contractor Ordinance; Member Rocco seconded the motion; all board members were in favor. (3-0)

ITEM # 5 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE TREE TRIMMING AND REMOVAL OF TREE SERVICES IN FALLS TOWNSHIP

Manager Gray said a bid opening was held for the tree trimming and removal of tree services in Falls Township. One bid was received from All The Above in the amount of \$225.00 (hourly rate), \$425.00 (emergency rate), \$350 (crane hourly rate), and \$90,000 NTE total bid. Mr. Jason Lawson spoke about this item. Member Rocco asked about only receiving one bid. Mr. Lawson said multiple companies picked up the packet. They voiced some concerns based on the hourly rate. He thinks they usually work off day rates and half-day rates. They would like to make changes to next year's bid packet. Mr. Lawson said he did check references; they do all of Comcast, and they do work in Bensalem. Mr. Lawson said they would first like to do work in the Falls Township Community Park, then Quaker Penn Park, and if able to, behind Buck Drive off South Olds. Member Rocco moved to accept and award the tree trimming and removal of tree services in Falls Township to All The Above, as outlined in the memo dated July 13, 2018 and NTE \$90,000; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 6 CONSIDER PROPOSAL FOR PROFESSIONAL SERVICES FOR THE DESIGN WORK FOR THE SOUTH OLDS BOULEVARD CULVERT REPLACEMENT

Manager Gray said the township received a proposal from Mr. Joe Jones for professional services for design work for the South Olds Boulevard culvert replacement. This is for consideration by the board and is in the amount of \$67,720. Member Rocco said this is the second culvert we have replaced in two years. He asked how many culverts are in Falls Township. Mr. Jones said there are five bridges on the bridge inspection report; five bridges that PENNDOT inspects for us. Member Dence moved to accept the proposal for professional services for the design work for the South Olds Boulevard culvert replacement from Jones Engineering in the amount of \$67,720; Member Rocco seconded the motion; all board members were in favor. (3-0)

ITEM # 7 CONSIDER THE 2018-2019 DIESEL AND UNLEADED FUEL BIDS FOR FALLS TOWNSHIP

The township received a consortium bid for fuel as follows: PAPCO Inc. (Ultra Low Sulfur Diesel) and Mansfield Oil Company of Gainesville, Inc. (Unleaded Regular). Mr. Lawson spoke about the bid. Member Dence moved to accept the 2018-2019 Diesel and Unleaded fuel bids for Falls Township as outlined in the Memo dated June 20, 2018 from Mr. Jason Lawson; Member Rocco seconded the motion; all board members were in favor. (3-0)

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ITEM # 8 CONSIDER RESOLUTION FOR THE SALE OF TOWNSHIP SURPLUS VEHICLES

Member Rocco moved to approve Resolution # 18-11 for the sale of township surplus vehicles; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 9 CONSIDER CHANGE ORDER # 1 FOR THE 2016 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM – HOWLEY DRIVE LANDSCAPING

Member Dence moved to approve change order # 1 for the 2016 Falls Township Road Improvement Program landscaping, for Bustleton Services, Inc., in the amount of \$4,445; Member Rocco seconded the motion; all board members were in favor. (3-0)

ITEM # 10 CONSIDER RESOLUTION FOR THE ACT 537 PLAN UPDATE

Chairman Harvie said this 537 Plan outlines how the township deals with sewage facilities and waste water. This is to make sure we are following proper procedures and that it is done in the safest and most efficient manner as possible. Mr. Clarke said with the adoption of this plan, we have done what DEP has asked us to do. The 537 Plan proposes to: continue the TOFA INI reduction program, it will accept the Bucks County Water and Sewer Authority Neshaminy interceptor analysis and required improvements of the Neshaminy interceptor which includes construction of a 54” relief sewer, and it will adopt a sewage management program to outline the responsibilities, guidance, maintenance, repair and enforcement of the existing on-line systems. Member Dence moved to approve Resolution # 18-12 for the Act 537 Plan update; Member Rocco seconded the motion; all board members were in favor. (3-0)

ITEM # 11 MINUTES – JUNE 19, 2018

Member Rocco said he reviewed the video and the minutes from the last meeting. Member Dence moved to approve the minutes from June 19, 2018; Member Rocco seconded the motion; all board members were in favor. (3-0)

ITEM # 12 ENGINEERS REPORT

Mr. Sullivan said they spoke about the road program earlier this evening. It should start by the end of August. Most of the site work at St. Josephs Court is complete. They will begin work on the buildings and structures. Member Dence moved to approve the June Engineers Report dated July 11, 2018; Member Rocco seconded the motion; all board members were in favor. (3-0)

ITEM # 13 BILL LIST

Member Rocco moved to approve the bill list dated July 17, 2018 in the amount of

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\$2,223,683.85; Member Dence seconded the motion; all board members were in favor.
(3-0)

ITEM # 14 EXECUTIVE SESSION

There was an Executive Session held on July 10, 2018 to discuss various personnel matters, two matters involving contract negotiations with two of the township unions, and litigation involving Verizon. Prior to this evening's meeting, the board held an Executive session to discuss personnel matters and contract negotiations.

ITEM # 15 POLICE DEPARTMENT REPORT

Chief Wilcox reported on the following:

- A. The last Coffee with a Cop went well. They hope to have more attendees at future events.
- B. The Youth Police Academy has just begun. Chief Wilcox thanked everyone who is involved to help make this program a success.
- C. The police department will utilize bike patrols on the 7 p.m. to 7 a.m. shift.
- D. Our detective bureau was working on a fraud case since February. As a result, and through good police work, we were able to make an arrest for fraud.
- E. There was a recent arrest of a drug dealer who provided drugs which caused a fatal overdose. Several agencies worked in conjunction on this case.
- F. Chief Wilcox said he feels our police department utilizes community policing better than most agencies. We have nine active programs and we can't do these programs without the board allowing them to do so. We are the only active D.A.R.E. program left in Bucks County.

ITEM # 16 MANAGER COMMENT

- A. Member Dence moved to approve escrow release # 7 for St. Josephs Court in the amount of \$274,968; Member Rocco seconded the motion; all board members were in favor.
(3-0)
- B. New township businesses are: Car Nation; Exxon, Robert Olivieri, Jr., PC; Community Services for Children; and Four Seasons Wholesale, Inc.

ITEM # 17 BOARD COMMENT

Member Rocco moved to approve a \$500 donation to the Bucks County Tour of Honor program; Member Dence seconded the motion; all board members were in favor. (3-0)
There will be a trip for WWII and Korean War veterans on October 1st.

Member Dence – no comment.

Chairman Harvie said Levittown is unique in many ways, but water and sewer lines are in residents' backyards. We have had some problems with Lower Bucks County Joint

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Municipal Authority (LBCJMA) and the issue with easements. If you have a shed or fence, it could be on an easement. If you have a shed with concrete pad or pool, it could be a major problem. It is your responsibility as a property owner that you are not on an LBCJMA easement. They can make you move it. Chairman Harvie said there is an issue with flooding, especially the area around Birch Valley where there was some major flooding. A lot of this is caused by yard waste. People take trees, grass clippings, and instead of putting it in bags, they dump it into the creeks. This is illegal. You don't have to pay to properly get rid of yard waste. In regard to the Falls Township fire company, the township was alerted about some financial irregularities that they have discovered. Two members were arrested, and these were two members who were known to this board. It was very disappointing, and we feel badly for the families of those two gentlemen, but especially feel bad for the Falls Township fire Company members. We stand by the fire company 100%. They have a completely new set of leaders who have already instituted new rules and we have full trust in them. They wanted to make sure this was caught and fixed. We thank them for going above and beyond and doing the right thing. The fire company should keep their heads held high. We have a lot of pride in all three township fire companies.

Member Dence moved to adjourn the meeting; Member Rocco seconded the motion all board members were in favor. (3-0) The meeting was adjourned at 10:08 p.m.



Jeffrey Rocco, Secretary