

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:30 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Szupka and Member Vislosky. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, and Township Engineer James Sullivan.

**ITEM # 1 CLEARWIRE US, LLC – CONDITIONAL USE HEARING – 65 MY
LANE – TPN # 13-28-74**

Member Snipes moved to open the Conditional Use Hearing for Clearwire US, LLC; Member Dence seconded the motion; all board members were in favor. (3-0) Mr. Clarke said this is a Conditional Use Hearing for Clearwire US, LLC, TPN # 13-28-74, which is located in the Township of Falls, Bucks County, PA. This application is to allow the Conditional Use for the co-location of one 12”-diameter microwave dish antenna onto an existing 150-ft. monopole, located at 65 MY Lane. The applicant is represented by Mr. Nicholas Talvacchia, Esq. Mr. Talvacchia said the antenna is proposed to be installed at an elevation of 149 ft. The applicant received a positive recommendation from the Planning Commission on April 15, 2010. Mr. Talvacchia asked that in addition to the electro-magnetic emissions analysis dated August 16, 2009, copy of their lease, and copy of their FCC license, he proposes that the structural analysis, dated July 21, 2009, also be entered into the record. Mr. Fran Green, PA Licensed Engineer, was sworn in. Mr. Talvacchia reviewed the plans. Member Snipes asked about the electro-magnetic exposure limits. Mr. Talvacchia said this installation, along with the other existing equipment, will have exposure levels of 900 times less than the FCC limits at all locations of public access. Clearwire US, LLC is the fourth carrier for this monopole. Chairman Harvie asked about the trees and plantings at this site. Mr. Sullivan said most of the plantings are dead and this would be something the Code Department could handle. Mr. Sullivan asked if the applicant agreed with the township engineer’s letter dated April 8, 2010. Mr. Talvacchia reviewed the letter and said they argued against the dust-free condition because of the limited amount of traffic at this location. Member Snipes moved to close the Conditional Use Hearing for Clearwire US, LLC; Member Dence seconded the motion; all board members were in favor. (3-0) Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Ms. Regula Sheehan said she believes this tower interferes with the FM reception near her home. Chairman Harvie said the tower Ms.

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Sheehan is referring to is not the same tower as this project. The applicant suggested that Ms. Sheehan call or write to the FCC in regard to the problem she is having. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Member Snipes moved to grant the Conditional Use for Clearwire US, LLC, recognizing the pre-existing conditions of Sections 209-50.2D5 and 209-50.2D11; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 2 GTS WELCO, INC. – WAIVER OF LAND DEVELOPMENT –
1 STEEL ROAD EAST – TPN 13-47-142**

The applicant is represented by Mr. William Reardon. Mr. Reardon said they propose to add a 2,400 sq. ft. addition to their existing facility. They appeared before the Planning Commission on April 15, 2010 and had a discussion in regard to an existing 30” pipe. They have since re-located that pipe as shown on the plans. The applicant reviewed their waiver requests which are mostly due to pre-existing conditions. These include parking, topographic features and minimum pipe slope. Mr. Reardon said they are waiting for a letter from the Bucks County Conservation District. Member Snipes asked Mr. Sullivan if he had any concerns with this project. Mr. Sullivan did not have any concerns and said what they are proposing is adequate. The applicant will not be able to move forward until they receive the letter from the Bucks County Conservation District. Member Dence moved to approve Resolution # 10-13 for GTS Welco, TPN 13-47-142, granting waivers for parking as well as topographic features and minimum pipe slope; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 3 CONSIDER AUTHORIZING NOTICE OF INTENT TO AWARD 2010
ROAD PROGRAM – MILL AND OVERLAY**

Manager Gray introduced this item. The ten roads scheduled for mill and overlay are: Buck Drive, Durham Court, Raleigh Way, Blue Spruce Lane, Briarroot Lane, Black Pine Lane, Barberry Lane, Buttonwood Lane, Birch Drive, and Boulder Lane. Of the six bids received, the lowest bidder was General Asphalt Paving in the amount of \$346,788.80. T&M has recommended that the Board of Supervisors authorize the engineer’s office to issue a notice of intent to award the bid to General Asphalt Paving. Member Snipes asked about the difference in bids between the lowest bidder and the highest bidder. Mr. Sullivan said it is rather typical to have that kind of range between low and high. The difference between the first two bidders is about \$20,000 which is also typical. Member Snipes moved to authorize the township’s engineer’s office to issue the notice of intent to award the bid for the 2010 Road Program to General Asphalt Paving in the amount of \$346,788.80; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 4 CONSIDER APPROVAL OF FALLS TOWNSHIP SENIOR CENTER
LEASE AGREEMENT**

Manager Gray said they have an updated lease agreement between Falls Township and the Falls Township Senior Center. The previous lease had not been updated since 1982. This

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new lease would end on December 31, 2015. The annual rent is \$1.00 per year. The premises shall be used by the senior citizen group for recreational, charitable, celebratory, social, education, and scientific purposes. Member Snipes asked about insurance coverage for the senior center. Manager Gray said they have their own policy for the contents. The township covers the building itself. Member Snipes asked about the possibility of building renovations. Manager Gray said they had a meeting last week with the architects and representatives from the senior center. They will come back with new plans in about a month. Member Dence said one of the reasons they revised the lease agreement was because of questions that arose as to what they can do and cannot do. Manager Gray said the township will cut the grass in the summer and plow the parking lot in the winter. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Mr. Gallus Obert asked if the senior center leases their space. Chairman Harvie said the township leases the building to the senior center. The senior center is able to rent space for parties and meetings. Mr. Obert asked about the building renovations. Chairman Harvie said when they receive a revised concept, they will have a meeting to present the ideas. Mr. Obert said he thinks they should ask the senior center how many events they have had to turn down because they do not have enough space. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Member Snipes said in the agreement it reads that the lessee agrees not to sublease the premises unless they have the lessor's consent and that they cannot turn it over to someone else. Member Snipes moved to approve the new lease for the Falls Township Senior Center, ending December 31, 2015; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 5 CONSIDER PURCHASE OF LAPTOP COMPUTERS FOR POLICE DEPARTMENT

Manager Gray said the police department is requesting to purchase six laptop computers in the amount of \$19,305.36. These laptops are on the Costars list. Sgt. Harvey Taylor explained the need for these computers. Member Snipes moved to purchase six mobile laptop computers through the Costars list in the amount of \$19,305.36; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 6 CONSIDER APPROVAL OF LIEUTENANT EMPLOYMENT CONTRACT

Manager Gray said recently Henry Ward was promoted to Lieutenant. An employment agreement between Lt. Ward and Falls Township, commencing May 20, 2010 and ending December 31, 2012, has been prepared. Member Snipes moved to approve the employment agreement for Lt. Henry Ward; Member Dence seconded the motion; all board members were in favor. (3-0)

There was a break in the meeting at 8:16 p.m. The meeting reconvened at 8:24 p.m.

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

Mr. Gallus Obert asked about the walkway along New Falls Road. Chairman Harvie said at the next meeting Traffic Planning and Design will give an informational presentation. At some point over the summer, the board may make a decision if they will follow through with any of the options or decide not to pursue it. Mr. Obert asked how much Traffic Planning and Design was being paid for this work. Chairman Harvie said it is between \$45,000 and \$50,000 to do the survey, concept plans, and attend the meeting. Mr. Obert asked about the dredging at South Olds Boulevard. Mr. Sullivan said they have not had any recent communications with the county. Mr. Obert said it has been almost two months since this was brought forth at a meeting. Mr. Sullivan said they need to know what they want before they meet with the county. There is no slope from one end of the ditch to the other end and dredging may not necessarily solve the problem. There have been changes made to that outlet at Queen Anne. Mr. Obert said he had drawings which showed five storm water outlets that took all the water from Pennsbury High School, went across the street, and went into that area. Chairman Harvie asked Mr. Sullivan who he could meet with. Mr. Sullivan said the county hires consultants on an as-needed basis. Chairman Harvie said he would have a conversation with one or two of the county commissioners to see who they can send out to take a look at this. Mr. Obert asked how much has been spent on the architect fees for the senior center. Mr. Sullivan said it was \$10,000 for the first three concepts. Mr. Obert asked about the quarry along Penn Valley Road and wondered what materials they are using to fill it in. Mr. Sullivan said the company has a mining permit and they are under the jurisdiction of the DEP. Mr. Sullivan will supply Mr. Obert with a name and number for the person he can call.

Mr. Mark Smith asked about some of the Pinewood section driveways which were cut, removed, and replaced. Chairman Harvie said the reason that was done is because over the years when new asphalt was put on top, the road got substantially higher. A lot of the driveways needed to be adjusted. Mr. Sullivan said if they replace all of the aprons, it is likely they will have to adjust every driveway. If they change the slope of the road, they will change the slope of the apron and therefore the slope of the driveway. They will have to adjust the driveway to meet all of the slopes. Mr. Smith asked if General Asphalt Paving will be doing the roads in the Pennsbury Heights section. Chairman Harvie said General Asphalt Paving came in as low bidder for the mill and overlay program discussed earlier tonight. The full depth reconstruction has not yet gone out to bid so they do not know who will be doing this work. Whoever the project is awarded to will be responsible for the roads, curbs, aprons, driveways, and sidewalks. Member Dence said that is the case unless the contractor hires sub-contractors. Mr. Smith asked if the residents had any say in the contractor selection. Chairman Harvie said under PA law, whoever comes in as the lowest bidder, as long as they are a responsible bidder, will be awarded the work. It is a pretty rigid process as to what the state law requires. Mr. Smith asked what kind of consideration, if any, would be made to residents who have recently had work completed. Chairman Harvie

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said they do not yet know if they can reimburse residents for the money they put out. It is possible they can reimburse the permit fees, but they have to determine how far back they would need to go. They are still talking about this. Once they start opening this up, it could get out of hand. Chairman Harvie said he understands Mr. Smith's concerns as he just did his work last year.

Ms. Regula Sheeman said she was glad to see that PENNDOT took care of the road problem within 2-3 days of when she spoke about the situation at a recent meeting. She said her drive along Lincoln Highway northbound is now easier.

ITEM # 8 EXECUTIVE SESSION – There was no Executive Session held.

ITEM # 9 MANAGER COMMENT

1. Member Snipes moved to approve the escrow release to T-Mobile in the amount of \$3,226.50; Member Snipes seconded the motion; all board members were in favor.
2. Manager Gray said the Falls Township Parks and Rec Department is currently accepting applications for summer camp and the Pinewood Pool. There will be two free events at the skate board park to be held on June 20th & 21st. For more information on any of the Parks and Rec programs, please call 215-949-9000, X220, X221, or X222.

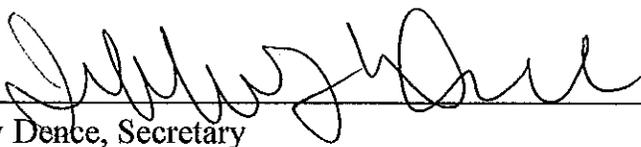
ITEM # 10 BOARD COMMENT

Member Dence said due to recent storms, many people lost power to their homes. Member Dence reminded the public that the township has an emergency E-Notify sign-up link on the township website. There is also a link for ReadyNowPA in case of county emergencies. In order for these contacts to be able to reach you by telephone, residents would need to register a land line or cell phone. Member Dence announced, "Go Flyers!"

Member Snipes – No comment

Chairman Harvie thanked the American Legion Post #834 for the Memorial Day Parade. Chairman Harvie reminded everyone that at the next meeting on June 15, 2010, Traffic Planning and Design will present information about a pedestrian walkway along New Falls Road. At the next meeting the board will make a decision to having one or two meetings per month for July and August. Chairman Harvie reminded everyone to be aware of children playing outside.

Member Dence moved to adjourn the meeting; Member Snipes seconded the motion; all Board members were in favor. (3-0) The meeting was adjourned at 8:49 p.m.



Jeffrey Dence, Secretary