

**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	PRESENT
JEFF BORASKI, SUPERVISOR	PRESENT

The meeting commenced at 7:00 p.m. with roll call and salute to the flag. All Board members were present. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan. There was a moment of silence held in memory of Lower Makefield Township Police Officer Denise Siano. Chairman Harvie said their thoughts and prayers go out to her family, friends, and members of the Lower Makefield Township Police Department.

**PRESENTATION TO SAFE KIDS BUCKS COUNTY FOR PROVIDING THE
TOWNSHIP TWO AED'S AND RELATED TRAINING**

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

No one signed in for public comment.

**ITEM # 2 SIKA CORPORATION – FINAL LAND DEVELOPMENT – 150 BEN
FAIRLESS DRIVE – TMP # 13-051-001-013-001**

This proposed project is for SIKA Corporation, located at 150 Ben Fairless Drive, TMP # 13-051-001-013-001. The applicant's proposed project involves the construction of a 37,090 sq. ft. building addition with associated parking, loading, utilities, and other infrastructures. Representing the applicant is Mr. Tom Profy. Mr. Profy said joining him tonight is Mr. Eric Garten, Project Engineer from Gilmore & Associates, Mr. Bernie Elias who is the architect and Mr. Barry Fleck, one of the Principals of the applicant. The 37,090 sq. ft. addition is to an existing industrial building on a 6.9-acre site, located at the northwest corner of Gamesa & Ben Fairless Drives in the Keystone Industrial Port Complex. Mr. Profy said they have reviewed the township engineer's review letter dated March 27, 2015 and they will comply. The one waiver that is being requested deals with showing location, widths of streets, etc. Mr. Fleck said SIKA Corporation is the largest manufacturer of concrete chemicals. They have been at their present site since 2001 and they want to add on a blending operation. Part of this location will relieve their North Jersey location. They plan to hire about five additional employees, but at some point they may move to a round-the-clock operation which will add additional employees. Member Galloway asked if they have submitted their plans to the fire marshal. Mr. Garten said yes. Chairman Harvie said

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the Tree Commission had recommendations in their March 16, 2015 letter about certain species of trees. Mr. Profy said they will comply with their recommendations. Member Rocco moved to approve Resolution # 15-9 for preliminary and final land development for SIKA Corporation, 150 Ben Fairless Drive, TMP # 13-051-001-013-001; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 3 CONSIDER PROPOSAL FROM DRIFTWOOD WATER ADVENTURES FOR SERVICES AT THE FALLS TOWNSHIP COMMUNITY PARK

Manager Gray said the township received a proposal regarding kayak and paddleboard rentals at the Falls Township Community Park for the 2015 summer season. Mr. Pat Mulhern and Mr. Robert Moyer. Mr. Mulhern spoke about the programs and services that they offer. They will also provide programs at the Pinewood Pool and for older children attending the Falls Township Parks and Recreation Summer Camp program. Board members asked if there were a way to include a clause at the end so that this can be renewed each year. Mr. Clarke said they can put in a simple clause to do this. Mr. Moyer said they will also give discounts to Falls Township residents. They will start Friday, May 23rd and their program will go all the way through Labor Day weekend. Board members agreed that this is a great addition to the park. Member Galloway moved to approve the proposal from Driftwood Water Adventures for services at the Falls Township Community Park and to direct the solicitor to amend the agreed agreement to include automatic renewal as well as a clause and allow for future change in programming; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER PROPOSAL FOR ENGINEERING SERVICES FOR THE 2015 ROAD PROGRAM

Manager Gray said the township received a letter from T&M Associates dated April 30, 2015 for a proposal for professional engineering services for the 2015 Falls Township Road Improvement Program. Howley Drive is included in the design scope for full-depth reconstruction. The following roads are included in the design scope for mill and overlay: Annamarie Drive, Angela Avenue, Christina Court, Rice Drive, and Mark Anthony Court. The total cost of this proposal is \$138,300. Member Rocco asked about the estimated construction cost for Howley Drive. Mr. Sullivan said it is \$538,000. Member Boraski said every week they hear about problems with their current contractor and asked if they would be able to bid on this new contract. Mr. Sullivan said they would be able to bid, but it is a fairly small amount of work for them so he is not sure they would bid. Mr. Clarke said right now it does not appear there is any reason why they could not bid on this. Member Rocco asked if they could tighten up the bid spec to make them conform. Member Dence said with Howley Drive, he thinks they should bid the landscaping separate. Mr. Sullivan said they could bid it separate or put something in the spec that it must be done by a qualified landscaper. If this is approved, construction would be sometime in July or August. Member Rocco said for any patch areas, he would like to see them require a larger area to be patched. Member Dence moved to approve the proposal from T&M Engineering, in the amount NTE

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\$138,300, for engineering services for the 2015 Falls Township Road Program; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER ADOPTING ORDINANCE ESTABLISHING CHAPTER 157 – NOXIOUS PLANTS AND WEEDS; CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 138 – HOUSING STANDARDS – SECTION 3 – INSPECTIONS, SUBSECTION A; CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 192 – SALE OF RESIDENTIAL PROPERTY – SECTION 3 – DISCLOSURE REQUIREMENTS – SUBSECTION D AND SECTION 4 - RESIDENTIAL DISCLOSURE STATEMENT

Ms. Gallagher said what this ordinance does is to establish an entire chapter that deals specifically with bamboo and other noxious weeds and prohibits the planting of such items in a way that would interfere with neighboring properties. It also prohibits the planting any closer than 10 feet from a property line, pavement, sidewalk, or 40 ft. from a public road. If a property is found to be in violation, the code officer can cite the property owner. It does not in any way affect a property owner's ability to bring a neighbor in to court on their own. It also requires property owners to disclose if there is bamboo on their property when they sell their property. Chairman Harvie thanked Ms. Gallagher and the other boards and commissions for their work with this. Member Boraski moved to adopt Ordinance # 15-04, establishing Chapter 157 – Noxious Plants and Weeds, amending Chapter 138 – Housing Standards – Section 3 – Inspections, Subsection A; amending Chapter 192 – Sale of Residential Property – Section 3 – Disclosure Requirements – Subsection D and Section 4 – Residential Disclosure Statement; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 6 MINUTES – APRIL 21, 2015

Member Dence moved to approve the minutes from April 21, 2015; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 7 EXECUTIVE SESSION – There was no Executive Session held.

ITEM # 8 MANAGER COMMENT

- A. Member Dence moved to approve the release of earth disturbance permit in the amount of \$756.46 for the earth disturbance permit for 85 Penn Lane; Member Galloway seconded the motion; all board members were in favor. (5-0)
- B. Member Galloway moved to approve the extension of time for New Seaview to August 15, 2015; Member Rocco seconded the motion; all board members were in favor. (5-0)
- C. Member Dence moved to approve the extension of time for W.G. Lincoln Properties, 640 Lincoln Highway, to August 21, 2015; Member Galloway seconded the motion; all board members were in favor. (5-0)

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- D. Member Rocco moved to approve the extension of time to Buckingham Retail Properties for the WAWA project to August 21, 2015; Member Galloway seconded the motion; all board members were in favor. (5-0)
- E. Member Dence moved to approve the extension of time to Brian Brzezinski Premium Excavating to July 31, 2015; Member Boraski seconded the motion; all board members were in favor. (5-0)
- F. Manager Gray gave an update on the LED street light program. About 58% of the LED street lights have been installed.
- G. Happy Birthday greetings were given to Chief William Wilcox.

ITEM # 9 BOARD COMMENT

Member Rocco – no comment.

Member Dence spoke about the Que for the Troops and Family Festival event scheduled for June 5th and 6th. There are all kinds of activities going on and will be a lot of fun for the whole family. It will end with a fireworks display. More information can be found at the township website or www.queforthetroops.com.

Member Boraski said a lot of people are happy about getting out of the flood zone. They are thankful to the township for everything they did to help them out with this. Member Boraski announced that the Fallsington Elementary School is having their 2015 Car Show, held by the school and PTO, on Saturday, May 16th, from 10 a.m. to 2 p.m. Registration is \$15 the day of the show. More information can be found on the Fallsington PTO Car Show on Facebook.

Member Galloway said he was on the Que for the Troops website and he is excited about all the new things that are going on this year.

Chairman Harvie said on May 16, 2015, the township will have a shredding event for Falls Township residents. It will start at 8 a.m. They will have township vehicles on display and the building will also be open for the public to view the problems we are facing. It will give people a better understanding of this building. A couple of days after that is Election Day. Due to Election Day, the next Board of Supervisors meeting will be held on Monday, May 18, 2015. Chairman Harvie thanked everyone for their help. Chairman Harvie wished all the mothers and grandmothers in the community a very Happy Mother's Day.

Member Dence moved to adjourn the meeting; Member Galloway seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 7:47 p.m.



Jeffrey Rocco, Secretary