

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

<b>ROBERT HARVIE, JR., CHAIRMAN</b>	<b>PRESENT</b>
<b>JONATHAN SNIPES, VICE-CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFFRY DENCE, SECRETARY-TREASURER</b>	<b>PRESENT</b>
<b>BRIAN GALLOWAY, SUPERVISOR</b>	<b>PRESENT</b>
<b>JEFFREY ROCCO, SUPERVISOR</b>	<b>PRESENT</b>

The meeting commenced at 7:03 p.m. with roll call and salute to the flag. All Board members were present. Also present were Township Manager Peter Gray, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

**PRESENTATION TO WINNERS OF THE 2011 HOUSE DECORATING CONTEST**

Mr. Bill Reese presented pizza gift certificates to the winners of the 2011 House Decorating Contest. The winning homes were: 9 Franklin Street in Fallsington, 257 Elderberry Drive in Levittown, 239 Pinewood Drive in Levittown, 204 Valley Drive in Morrisville, and 215 Devon Road in Fairless Hills.

**ITEM # 1 AE POLYSILICON, 150 ROEBLING ROAD, TAX MAP PARCEL  
#13-51-1-24 - AMENDING FINAL PLAN**

Manager Gray said this is an amended final plan for AE Polysilicon located at 150 Roebling Road, tax map parcel # 13-51-1-24. This project is for the installation of three trailers. Representing AE Polysilicon is Mr. Tony DeCicco. Mr. DeCicco said they are short on office space because they need to hire additional staff to help with their development. They are not sure what will happen with those trailers when they work on Phase 2. Member Snipes asked how many people they are hiring. Mr. DeCicco said at the end of 2011 they had 103 employees and they have opportunities for as many as a dozen more people. Mr. Sullivan said one of the requirements is that AE Polysilicon does some work on their punch list which had been outstanding for quite some time. Mr. Sullivan said he is happy to report that they have done a lot of that work and they are now in the position for approval of this amended final plan. Chairman Harvie asked when Phase 2 would begin. Mr. DeCicco said the way Phase 2 is planned, they would be increasing their capacity three-fold. They have not yet put together a timeline for Phase 2. Ms. Gallagher asked the applicant if they reviewed and comply with Mr. Sullivan's review letter dated January 6, 2012. Mr. DeCicco reviewed the letter and said they will comply. Member Dence moved to approve Resolution # 2012-03 for AE Polysilicon, 150 Roebling Road, tax map parcel #13-51-1-24, amending final plan; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 2 CNG FUELING STATION, 451 TYBURN ROAD, TAX MAP PARCEL #13-28-84 - FINAL PLAN**

Manager Gray said the applicant is proposing installation of a compressed, natural-gas facility on a portion of an existing property. The applicant is represented by Mr. Thomas Hecker. Mr. Hecker gave a brief explanation of the project. He said the applicant intends to provide a permanent location for their customers who use compressed natural gas. Ms. Monica Latrerez, representing Clean Energy, presented information on compressed natural gas. She said compared to diesel and regular gas, compressed natural gas is cleaner, cheaper, and greener. Ms. Latrerez explained how their equipment will operate. They have a 24-hr. emergency response plan and will submit that plan to the emergency responders. The applicant's engineer spoke about the site plans for this project. This project is located in a heavy-industrial area. The only earth-disturbance activity would be excavating the retention pond on a portion of this lot. They will make landscaping improvements. Mr. Hecker said they went to the Zoning Hearing Board to seek relief. There are some waivers as follows: radius of the driveway; requirement for sidewalks; a waiver for curbs; waiver requiring topographic data; a requirement relating to storm water management; a requirement for storm water management providing a concrete line; and the requirement that outlet pipes be reinforced with concrete pipes having O-ring joints. Mr. Hecker said they have received approval from the Bucks County Conservation District and an exemption letter from the DEP in regard to sewer services. Mr. Galloway asked about the intended use of this facility. Ms. Latrerez said this is a public station. It is anticipated to have about thirty vehicles that will utilize the site. Member Snipes asked if they compress the gas on site and then fuel the vehicles. Ms. Latrerez said yes. Member Snipes asked what kind of emergency protections are in place for this facility. Ms. Latrerez said through the building permit process they will be dealing with the lead authority having jurisdiction over their projects, which is typically the fire department. They have to follow all fire codes. There is a training program that customers will go through before they can make any purchases. There are emergency shut-down devices on the fueling pumps and also in the compound area in the event there is an emergency on site. Ms. Latrerez said they negotiate with return-to-fleet companies and their customers drive refuse vehicles, street sweepers, and taxi cabs. Continuously on-the-road vehicles are the types of vehicles that would benefit from natural gas. If the system does not recognize the user, it will require the user to go through the training program. Member Snipes asked how safe is this facility compared to a regular gas station. Ms. Latrerez said they will address their safety measures with the fire department. Member Dence asked Mr. Sullivan if he is comfortable with the storm water management issues. Mr. Sullivan said yes and that they have discussed those at length. There is a waiver for Section 187-12I. Mr. Sullivan asked if they could use DR18 and lube joints. Mr. Hecker said yes. Mr. Sullivan said that he has no problem with that. Member Dence said he is okay with the sidewalk waiver. Mr. Rocco asked if this were an un-manned self-serve site and where the closest compressed natural gas site was located. Mr. Hecker said the site is self-serve and to his understanding, the county now goes to a site in New Jersey. Member Snipes asked who they purchase the natural gas from. Mr. Hecker said PECO. Member Snipes asked if the gas is from areas of hydro-fracking suppliers. Mr. Hecker said he does

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not know. Member Snipes moved to open public comment; Member Dence seconded the motion; all board members were in favor. (5-0) Mr. Dell asked why the tank is not buried. Ms. Latrarez said it is industry standard to have these tanks above the ground. Mr. Dell asked if the applicant is building this site to serve thirty vehicles. Ms. Latrarez said they will initially serve thirty vehicles and would love for additional users to participate and fuel at this facility. Mr. Dell asked if there will be an emergency lever. Ms. Latrarez said yes. The hoses have a break-away a little different than a gas pump. The facility will not be manned, but there are people on site conducting business as usual. There are emergency shut-down buttons. Member Dence moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Chairman Harvie asked if there would be staff in terms of inspections and maintenance. Mr. Hecker said the answer is yes. Ms. Latrarez said they have maintenance technicians and there is a tech that will visit the site on a weekly basis. They will go through routine maintenance to make sure they are compliant with building plans, the fire department, and codes. Member Dence asked about the location of the equipment. Ms. Latrarez said it is separate from where the tank is located. Ms. Gallagher asked the applicant if they comply with the Fire Marshal letter dated September 29, 2011, the Traffic Planning and Design letter dated January 11, 2012, and the T&M Associates letter dated January 5, 2012. Mr. Hecker said yes. Ms. Gallagher asked if the applicant complies with the waivers that were indicated, including the one from Mr. Sullivan, #187-12I. Mr. Hecker said yes. Member Dence moved to approve Resolution # 2012-04 for the preliminary and final plan for CNG Fueling Station, located at 451 Tyburn Road, Tax Map Parcel #13-28-84; Member Galloway seconded the motion; all board members were in favor. (5-0)

### **ITEM # 3 CONSIDER PROPOSAL FROM RAY LITWIN FOR 2012 MAINTENANCE CONTRACT**

Manager Gray said the township received a proposal dated January 9, 2012 from Ray Litwin Heating and Air Conditioning. He is proposing a fee of \$4,950 for the year. This is an increase of \$200 over the prior year. The board is asked to consider this proposal. Manager Gray said they are satisfied with the service from this company. Member Snipes moved to accept the proposal from Ray Litwin for the 2012 Maintenance Contract in the amount of \$4,950; Member Dence seconded the motion; all board members were in favor. (5-0)

### **ITEM # 4 CONSIDER 2012 FEE SCHEDULE FOR CODE, FIRE, AND PARK & RECREATION**

Chairman Harvie introduced this item. He gave an explanation of the fees. There is an analysis by Ms. Gallagher comparing Falls Township's fees with neighboring municipalities. Fire Marshal Rich Dippolito, Zoning Officer, Tom Bennett, and Park and Rec Manager Bill Reese were present to answer any questions. Mr. Reese said there is a Pinewood Pool increase of \$2 per day. The proposed fee is \$6 for children and \$8 for adults per day. Mr. Dippolito said the changes he proposed were not increased in as many as ten years. Fire inspection rates were raised slightly to cover their costs. He proposes the same

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thing with fire investigation reports. Mr. Dippolito checked the surrounding areas and said Falls Township's rates are the lowest he could find in the area. Mr. Bennett spoke about raising inspection fees for sewer laterals and water services for commercial and residential. He said the Zoning Hearing Board application fee use to be \$100 and then you had to pay an advertising fee and a court stenographer fee. The final amount ended up being around \$300, but it was confusing for the applicants. Now, he is proposing a flat fee of \$300 for Residential Zoning Hearing Board appeals. Member Galloway asked about the \$300 fee. Mr. Bennett said it is straight-forward and honest. Member Galloway said he appreciated the cost analysis of how we stand compared to other municipalities. Member Snipes said he also appreciated seeing the analysis. He said we are not trying to make money; we are trying to cover the costs for the work that is done. All of these are needed to keep us safe. Chairman Harvie said if a resident is doing the work, then they will need to pay for the township employee to do their job; not the rest of the taxpayers. Chairman Harvie said he appreciates the work the three gentlemen, Ms. Gallagher, and Manager Gray have done. Member Galloway moved to approve Resolution # 2012-05, establishing the fee schedule for Code, Fire, and Parks and Recreation; Member Dence seconded the motion; all board members were in favor. (5-0)

### ITEM # 5 CONSIDER PROPOSAL FOR SWAT TRAINING

Manager Gray introduced this item. Lt. Hank Ward spoke about this proposal. The team was awarded \$216,000 for new equipment, a K-9 dog, and training. There was only one company found to provide their needs. Falls Township belongs to the Bucks County South S.W.A.T. Team which comprises of teams from Bensalem, Bristol Township, and Falls Township. Between the three S.W.A.T. teams there are forty members. Lt. Ward said although they have been combined for about five or six years, the thing they are lacking is training. They are at the point now where they will look at a training program for all three teams. The company they selected is probably the best in the world. The Tier 1 SOF class will last one year. The total cost of the contract is \$95,400. This provider is also combined with our provider for our canine. Member Galloway said he looked at the preliminary quotes that broke down the activities and said it is quite impressive. Member Snipes asked if there is an additional cost to the township. Lt. Ward said no; this is just to pay the trainer. The dog is separate, but that is a different aspect of the grant. Member Dence moved to approve the proposal for S.W.A.T. training in the amount of \$95,400 to Tier 1 SOF for the Falls Township S.W.A.T. Team; Member Rocco seconded the motion; all board members were in favor. (5-0)

### ITEM # 6 PUBLIC COMMENT - FIVE MINUTE LIMIT PER PERSON FORTY-FIVE MINUTE MAXIMUM

Mr. Guido Mariani said on December 20, 2011, Governor Tom Corbett signed into law the Adam Walsh Bill, also known in Pennsylvania as Senate Bill 1183. This bill closes loopholes in the current Megan's Law. It will require sex offenders to register their home, school, work address, DNA sample, palm prints, finger prints, passport, vehicle information, and so on. The other change is that juvenile offenders convicted of serious sexual offences

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are going to be included and they will be required to provide the same information. The bill brings Pennsylvania into compliance with the Federal Adam Walsh Act. It coordinates all the states in monitoring and tracking information to a centralized internet database. Mr. Mariani hopes this law will spare a lot of families the pain and grief that these sex offenders have caused a lot of people. Sex offenders are extremely dangerous people and they have a higher re-citizen rate than any other types of offenders. Mr. Mariani thanked everyone who cared enough to contact their Legislators. He wants to make sure that townships enforce this law. If not, pick up the phone and call the Attorney General.

Mr. Roland Kenney said he talks to a lot of people. People say that having five Democrats on the board might be a problem, but Mr. Kenney said he does not see any problems. He told the board to keep up the good work.

### **ITEM # 7 MINUTES - DECEMBER 6, 2012**

Member Dence moved to approve the minutes from December 6, 2011; Member Snipes seconded the motion; all board members were in favor. (5-0)

### **ITEM # 8 ENGINEER'S REPORT**

Mr. Sullivan said the 2011 Road Program is moving along. Work is being done on Winding Way and Alden Avenue. Vernon Road will be worked on next. There was a pre-construction meeting for the Quaker Penn Park Babe Ruth Baseball Field. That project will be starting at the end of this week. It will take about four months to complete. Chairman Harvie said there are some difficulties with the Community Development Grant folks in regard to the senior center. Member Snipes moved to approve the December, 2011 Engineer's Report dated January 12, 2012; Member Dence seconded the motion; all board members were in favor. (5-0)

### **ITEM # 9 BILL LIST**

Member Snipes moved to approve the bill list in the amount of \$1,600,047.86; Member Galloway seconded the motion; all board members were in favor. (5-0)

### **ITEM # 10 EXECUTIVE SESSION - There was no Executive Session held.**

### **ITEM # 11 MANAGER COMMENT**

1. Member Galloway moved to approve the extension of the Conditional Use Application for Cingular Wireless PCS at 207 Austin Drive until February 7, 2012; Member Dence seconded the motion; all board members were in favor. (5-0)
2. Member Snipes moved to approve the extension of the Conditional Use Application for Cingular at 8900 Old Rt. 13 until February 7, 2012; Member Dence seconded the motion; all board members were in favor. (5-0)

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3. Member Snipes moved to approve the release of maintenance bond for the Oxford Valley Shopping Center in the amount of \$23,087.74; Member Dence seconded the motion; all board members were in favor. (5-0)
4. Member Galloway moved to retain the services of Anderson and Associates for the 2012 consulting services for the Police Pension Fund in the amount of \$4,800; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 12 BOARD COMMENT**

Member Rocco thanked his fellow board members and wished everyone a good night.

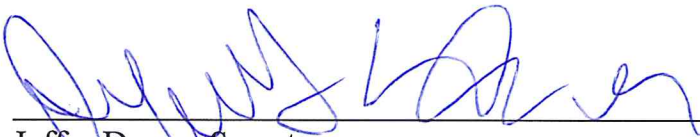
Member Dence agreed with member Rocco. He said the meeting was very smooth.

Member Snipes welcomed the new board members.

Member Galloway told Member Rocco this is two meetings down and 194 to go.

Chairman Harvie thanked the board members and the staff, especially for the work with the fee schedule. A lot of work and time went into that. While driving around, Chairman Harvie said he saw a lot of trash cans and a lot of people with cardboard boxes out for the trash. As a reminder, the recycling has changed and you can now include cardboard in your recycle cans. The township gets grant money depending on the amount of material that gets recycled. Chairman Harvie said he is not sure if we will get any snow, but it is interesting to take a look at where we were last year at this time in terms of salt and other expenses related to the snow. Chairman Harvie said it is supposed to be in the 50's next week.

Member Snipes moved to adjourn the meeting; Member Dence seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 8:29 p.m.

  
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Jeffrey Dence, Secretary