

**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	PRESENT
JEFF BORASKI, SUPERVISOR	PRESENT

**PRESENTATION OF AWARDS FOR THE HOLIDAY HOUSE DECORATING
CONTEST WINNERS**

Mr. Brian Andrews, Parks and Rec Manager, presented awards to residents for the holiday house decorating contest. The categories were traditional and extreme. Mr. Andrews thanked Ms. Quinn Kelley from the Parks & Rec Board for her help with this contest.

**PRESENTATION OF AWARDS FOR THE 2015 FALLS TOWNSHIP PHOTO
CONTEST WINNERS**

Mr. Brian Andrews presented awards for the township's photo contest. The categories were plants, landscape, architecture, wildlife, and miscellaneous. There were nearly 200 submissions for the contest. Mr. Andrews thanked everyone for their help. Chairman Harvie said they would like to display some of the photos throughout the township building. Chairman Harvie thanked the Parks and Rec Board as well as the Parks and Rec Director for their help with this contest.

The meeting commenced at 7:05 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Dence who was recovering after some minor surgery. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

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

Mr. Roland Kenney expressed concern over not being able to view the township meeting on the cable channel. He gets the picture, but no audio. Manager Gray said Comcast had contacted the township to say they are having issues on their end and they are working to resolve those issues. Chairman Harvie said the majority of those who are having problems are Comcast customers. The township does not have control over their equipment. Mr. Kenney spoke about what happened with Benghazi and comments he has made in the past.

Mr. Guido Mariani asked if the township has completed the terms of the new employees' contract. Chairman Harvie said not yet. Mr. Mariani asked about public comment prior to board approval.

ITEM # 2 CONSIDER REIMBURSEMENT OF PERMIT FEES TO PENNSBURY SCHOOL DISTRICT

Chairman Harvie said the board has been trying to partner with the school district. One way we are working with them is financially. Pennsbury School District has been making an effort for the past decade or so to refurbish their existing buildings and bringing them up to the quality they should be for the children. They have spent a tremendous amount of money renovating the buildings. With the budget crisis in Harrisburg not looking like it will be solved in the near future, a reimbursement of the permit fees for this work would help the school district financially. Chairman Harvie said the township wants to do what we can. Manager Gray said the total reimbursement of the permit fees is in the amount of \$40,682. Member Galloway moved to reimburse 100% of the permit fees in the amount of \$40,682 to the Pennsbury School District; Member Boraski seconded the motion; all board members were in favor. (4-0) Dr. Kevin McHugh, District Superintendent of Pennsbury, and Mrs. Jacqueline Redner, School Board member, both thanked the board for their collaboration and cooperation.

ITEM # 3 PUBLIC HEARING FOR CONSIDERATION OF APPLICATION FOR JOHN BECK'S AUTO BODY FOR STANDARD TOW TRUCK WRECKER SERVICE FOR THE 2016 CALENDAR YEAR

Member Galloway moved to open the public hearing for John Beck's Auto Body; Member Rocco seconded the motion; all board members were in favor. (4-0) Mr. Clarke said this is a public hearing for an application from John Beck's Auto Body for standard tow truck wrecker service for the 2016 calendar year. The applicant received notice of this hearing. Mr. Clarke entered exhibits for the hearing and reviewed the conditions of the ordinance. The applicant has two separate addresses for a storage yard. One is in Bristol Township (7985 Rt. 13, Levittown, PA 19057) and the other one is located at 380 Tyburn Road, Fairless Hills, PA 19030. Mr. Sullivan reviewed a list of the conditions deemed necessary for this site. It does not have a Use and Occupancy permit as well as other permits that are required for this site. Mr. Clarke explained why the site was found to be in non-compliance of the ordinance and is considered fatally defective. Failure to meet the requirements of the ordinance would require it to be denied and there is no ability for the board to be lenient. Mr. Clarke said the ordinance is clear and they have to comply with the ordinance. Member Galloway moved to close the public hearing for John Beck's Auto Body; Member Boraski seconded the motion; all board members were in favor. (4-0) Member Boraski moved to deny the application for John Beck's Auto Body for standard tow truck wrecker service for the 2016 calendar year; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 4 CONSIDER RESOLUTION FOR BUCKINGHAM RETAIL PROPERTIES, LLC SEWAGE FACILITY PLANNING MODULE

Mr. Sullivan explained the need for a sewage planning module for a project. This project will fall under our new grinder pump ordinance. Member Rocco moved to approve Resolution # 16-4, for the Buckingham Retail Properties, LLC sewage facility planning module; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 5 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE NEW FALLS ROAD SIDEWALK PROJECT

Mr. Thomas Beach, Remington Vernick, reviewed the scope of the project and the bids that were received. Mr. Beach said their estimate for the base bid was about \$184K. The board discussed their options with regard to this bid. Member Boraski said the people he has spoken with believe this project is closer to \$300K for the base bid. He feels this is a necessary project and will support to award this bid. Member Rocco was disappointed this did not come in closer to what was estimated. He asked about the alternates for this project. Mr. Beach provided information on the alternate bids. Chairman Harvie said this has been going on for quite some time. It is a safety issue and they are trying to make it safer and still do this in an affordable way. Manager Gray said additional money for this project would come out of the host community fees fund. Member Rocco would like to see it come from somewhere else instead of the host community fees fund. Chairman Harvie said there was some additional road work they were talking about. Manager Gray they have that and some other projects. The lowest bidder is irresponsible because they did not submit a series of documents that were required under the bid specs. Member Galloway moved to issue the notice of intent to award the bid to the lowest responsible bidder, Bencardino Excavating, in the amount of \$299,000; Member Boraski seconded the motion. Member Rocco moved to open public comment; Member Boraski seconded the motion; all board members were in favor. (4-0) Mr. Guido Mariani spoke about his objections to this project. He said this board has heard his objections to this project numerous times. One of the objections is that the cost of this project is disproportionate to the need and the possible use that this project would receive. Mr. Mariani said no one walks in this area. Member Boraski said he sees people walking along that roadway and if they can get them on the sidewalk instead of the roadway, he is okay with approving this project. Mr. Mariani said people should not be walking on a motorized street. Mr. Roland Kenney said an Earned Income Tax (EIT) could pay for this project. Member Boraski moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Member Rocco said Mr. Mariani's concerns are legitimate and asked which side of the road they would walk on. There will be a crosswalk at Thornridge and also at Amelia Drive. Chairman Harvie said they spoke about the installation of No Pedestrian signs. Ms. Gallagher said any signage on that road would have to be approved by PENNDOT. A vote was taken on Member Galloway's motion; all board members were in favor. (4-0)

ITEM # 6 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 209 – ZONING – SECTION 5 – DEFINITIONS AND SECTION 12 – LOW DENSITY RESIDENTIAL DISTRICT AND SUBSECTION B – PRINCIPAL PERMITTED USES AND SECTION 23 – HC- HIGHWAY COMMERCIAL DISTRICT – SUBSECTION B – PRINCIPAL PERMITTED USES

Chairman Harvie provided background information for this proposed ordinance. He said several months ago they asked the solicitor to research the question if reasonable restrictions could be placed on uses known as group homes and sober living environments. We asked whether or not it was legally permissible to place reasonable restrictions on the use if it was in the best interest to protect the health, welfare, and safety of the citizens of the community. Chairman Harvie explained the rules that must be followed in regard to this ordinance. They believe the board can regulate the use although there are guidelines the board has to follow. The board does not have any discriminatory intent. It is to protect the health, welfare, and safety of Falls Township as well as those living in those facilities. Mr. Clarke said this ordinance was duly advertised in the Bucks County Courier Times on December 28, 2015 and January 6, 2016. Copies of the ordinance were sent to the Bucks County Planning Commission, the Falls Township Planning Commission, and the Bucks County Law Library on December 18, 2015 as required by the Municipal Planning Code. Mr. Clarke said they have received the comments from the Bucks County Planning Commission and both he and Ms. Gallagher had a phone conversation with the Director of the Bucks County Planning Commission to review the ordinance, and this is reflected in their letter dated January 6, 2016. Member Galloway said this seems like a fine arrangement. Chairman Harvie thanked board members and the township legal team. There has been a lot of discussion about this and this seems to be the best arrangement for those involved. Member Galloway moved to approve Ordinance # 16-1, amending Chapter 209 – Zoning – Section 5 – Definitions and Section 12 – Low Density Residential District and Subsection B – Principal Permitted Uses and Section 23 – HC – Highway Commercial District – Subsection B – Principal Permitted Uses; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 7 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 191 – SUBDIVISION AND LAND DEVELOPMENT

Ms. Gallagher explained the update to this ordinance. It has been reviewed by the Bucks County Planning Commission and the Falls Township Planning Commission and they have both recommended approval of this ordinance. Member Galloway moved to approve Ordinance # 16-2, amending Chapter 191- Subdivision and Land Development; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 8 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR REPAIRS FOR THE FALLS TOWNSHIP PINWOOD POOL

Member Boraski moved to authorize advertisement for repairs for the Falls Township Pinwood Pool; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 9 CONSIDER PROPOSAL FROM D&M FIREWORKS FOR THE FALLS TOWNSHIP FAMILY FESTIVAL/QUE FOR THE TROOPS EVENT

Member Rocco moved to accept the proposal from D&M Fireworks in the amount of \$9,000 for the Falls Township Family Festival/Que for the Troops event to be held June 3rd and 4th, 2016; Member Boraski seconded the motion; all board members were in favor. (4-0) The rain date for this event is June 18, 2016.

ITEM # 10 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR AMENDMENT TO CHAPTER 184

Chairman Harvie said this ordinance deals with grinder pumps. This is more about the maintenance of those pumps. Member Rocco moved to authorize advertisement for an amendment to Chapter 184; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 11 CONSIDER APPOINTMENT FOR THE CODE APPEALS SOLICITOR FOR FALLS TOWNSHIP

Member Rocco moved to appoint Mr. Dave Trulove from the firm of Hill Wallack, at the rate of \$170/hr. for Code Appeals Solicitor; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 12 MINUTES – JANUARY 4, 2016

Member Rocco moved to approve the minutes from January 4, 2016; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 13 ENGINEERS REPORT

Mr. Sullivan said the 2015 Road Program is complete and the 2013 Road Program is essentially complete. For 2016, we have the Three Arches historical renovation project, the Pinwood Pool will be re-plastered, there will be some repairs to the dock at the Quaker Penn Park boat ramp as well as some dredging which will need to be done by March 15th. The Vermilion Hills foot bridge will be replaced and the 2016 Road Program will commence. Member Galloway moved to approve the December Engineers Report dated

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January 15, 2016; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 14 BILL LIST

Member Galloway moved to approve the bill list in the amount of \$2,126,787.45; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 15 EXECUTIVE SESSION

Chairman Harvie said the board held an Executive Session prior to the meeting to discuss two personnel items.

ITEM # 16 MANAGER COMMENT

- A. Member Rocco moved to approve the purchase of 20 trees at \$25 each, as part of the bare root program, for the total amount of \$500; Member Galloway seconded the motion; all board members were in favor. (4-0)
- B. Member Rocco moved to approve Resolution # 16-5 for the sale of surplus property (1990 GMC 7000 dump truck); Member Boraski seconded the motion; all board members were in favor. (4-0)
- C. Manager Gray has Keystone NAP mylars ready for signature.

ITEM # 17 BOARD COMMENT

Member Galloway – no comment

Member Boraski asked Manager Gray about the response time for when the public submits contacts through the township website and if he could please check into this. Member Boraski said some of the new LED lights have been blinking. Manager Gray said this is a PECO power problem issue and Mr. Arnao is waiting for them to come out and fix this. This has been posted on social media.


Member Rocco said he is glad they approved the sidewalk project. He thinks people will use them. Member Rocco said this is the first regular Monday meeting so they won't be having a meeting tomorrow. This coming weekend there is a prediction of a lot of snow so please remember to keep your cars off the road. Please check the ordinance and look for reminders on Facebook.

Chairman Harvie reminded the public to check media outlets and keep their cars off the roads. Chairman Harvie moved to appoint Ms. Eileen Donahue to a full-term on the Shade Tree Commission; Member Rocco seconded the motion; all board members were in favor. (4-0) They have letters for other appointments and will reach out to those folks to make sure they are still interested in those appointments. Chairman Harvie said Martin Luther King would have turned 87 late last week. He was only 39 years old when he was

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assassinated in 1968. We get a vision that this happened so long ago, but he still could have very easily been alive today. Chairman Harvie said he sees people forgetting where we have come from and how far we have come. Racism still exists in America and even though we will never eliminate it completely, it doesn't mean we should ever stop trying to be as best as we can be. While the country is not perfect, it is better than it was in 1968, 1958, or 1948. Chairman Harvie said the civil rights movement kind of ended when his life ended. It is something no one else has done before and no one else has done since. There were protests in 1967 and 1968 in South Africa, Czechoslovakia, and Ireland, all inspired by the work he did in this country. Chairman Harvie said he thinks sometimes we lose focus of the leaders we have had in the past, but we have to keep our eyes on the prize and our awareness of exactly where we were and that we have come a long way. Hopefully, we keep moving in the right direction. Chairman Harvie thanked everyone for their work they have done here.

Member Galloway moved to adjourn the meeting; Member Rocco seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 8:37 p.m.



Jeffrey Rocco, Secretary