

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

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

The meeting commenced at 7:10 p.m. with roll call and salute to the flag. All Board members were present. Also present were Township Manager Peter Gray, Police Chief William Wilcox, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

Mr. Clarke said there was an Executive Session before the meeting. The board discussed several matters of real estate and also had a presentation from the Township Architect.

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

Mr. Roland Kenney wanted to say hello to Mr. and Mrs. Edwards. Mr. Kenney asked how much money each board member receives. Chairman Harvie said they each receive \$4,250. It was \$5,000 per year and in 2004, at the re-organization meeting, the board voted to lower the pay to \$4,250. Mr. Kenney wished everyone a good night.

Mr. Guido Mariani asked where they stand with regard to Earned Income Tax (EIT). Chairman Harvie said there had been a company that obtained some data. At this point, they haven't really moved on this except speaking about it amongst themselves. Mr. Mariani explained the EIT. He said there is a Municipal Statistics Report Review which includes every municipality in Pennsylvania and lists information on the EIT, local services tax, and personal tax. The Bucks County Economic Development Corporation listed the top fifty employers in Bucks County and not one of them is a Falls Township corporation. Mr. Mariani said regardless of where you work, if you are a Falls Township resident, you are already paying this tax. The typical EIT is 1% and it is usually split with the school districts. Mr. Mariani said he doesn't know why we are subsidizing other communities at the rate of \$6.6M per year. He doesn't want our township to continue delaying this tax. Mr. Mariani asked the board to please act on this. Member Rocco said he is not opposed to looking at this, but if there are some people not already paying this tax and we start collecting it, then it will be a tax increase for some people.

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Mr. Edgar Lituma spoke about the soccer fields. He said there are usually 1,000 people there on Sundays. Mr. Lituma asked when they will finish the work at the soccer fields. Mr. Sullivan said they have been out there looking at it and will be there this Friday. Chairman Harvie said they plan to seed the area behind the nets and then the other areas will be done after the spring soccer season ends. Mr. Lituma asked about the grease trap at the community park concession stand. Chairman Harvie said they had a proposal for someone to take a look at putting a hot water heater in there. Member Dence reminded Mr. Lituma that it does not mean you can cook food down there. That still has to be approved by the Department of Health. Mr. Lituma asked about open space money. Chairman Harvie explained what open space money can and cannot be used for. There are not a lot of undeveloped areas in Falls Township. They were originally going to use this for Biles Island but the board has drifted away from using it for that purpose. Now they are looking at improving some sports fields. They will definitely apply by the end of this year to use the money.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 33 LOWER MORRISVILLE ROAD – TPN # 13-020-302 – INSTALL A POLE BARN ON THE BACK OF THE PROPERTY**

Member Rocco moved to approve the Certificate of Appropriateness to install a pole barn at 33 Lower Morrisville Road, TPN # 13-020-302; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 CERTIFICATE OF APPROPRIATENESS – 11 MAIN STREET – TPN # 13-020-280 – REMOVAL OF SLATE ROOF AND INSTALL SHINGLES AND INSTALL VINYL SIDING ALONG SIDES OF THE TWO DORMERS**

Member Galloway moved to approve the Certificate of Appropriateness for slate roof removal, shingle installation, and vinyl siding installation at 11 Main Street, TPN # 13-020-280; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 PLANET FITNESS – WAIVER OF LAND DEVELOPMENT – 223-229 PLAZA BOULEVARD – TMP # 13-28-29-01 AND TMP # 13-28-28-01**

Manager Gray said this is a waiver of land development for Planet Fitness, located on TMP # 13-28-28-01 and 13-28-29-01. The applicant proposes to divide the former Sears Hardware building into a 22,000 sq. ft. area for Planet Fitness with no exterior changes except a new building façade and handicap parking striping. Representing the applicant is Mr. Thomas Hecker. Mr. Hecker said the applicant plans to divide the former Sears Hardware building into a Planet Fitness with an additional 8,400 sq. ft. to be used for further retail. They also plan to restripe handicap parking spaces. Member Galloway asked if the fire marshal's concerns had been addressed. Mr. Hecker said those issues will be addressed in connection with the building permit. They will comply with the fire marshal. Member Boraski asked if the space will be divided into three units. Mr. Hecker said yes, it will be a

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22,000 sq. ft. Planet Fitness and the other two retailers will be 4,545 sq. ft. and 3,690 sq. ft. Member Rocco asked about the location and entrances for the stores. Mr. Hecker said there will be separate entrances for the stores. Chairman Harvie said there is one waiver that he is concerned with. There was a meeting last week for people who are worried about the traffic and signal light issues. One thing that became obvious was that a lot of the problems seemed focused on the sections located in Falls Township and the lack of sidewalks and landscaping. Chairman Harvie asked about putting in raised planting beds and shade trees in the parking lot. Mr. Hecker spoke of how challenging it is to put in trees and landscaping due to the wide PENNDOT right of way, the municipal boundaries, and the fact that this is already a fully-developed site. Member Rocco also expressed concern over this request and said that the traffic flow is a mess. Member Dence agrees, but does not know that this parking lot is the right area to do this. Member Galloway moved to open public comment; Member Dence seconded the motion; all board members were in favor. (5-0) Mr. Roland Kenney said he thinks this is being prolonged. He suggested leaving the parking lot alone and getting the businesses in there. Member Dence moved to close public comment; Member Rocco seconded the motion; all board members were in favor. (5-0) Member Dence moved to approve Resolution # 14-10, waiver of land development for Planet Fitness located at 223-229 Plaza Boulevard, TMP # 13-28-29-01 and 13-28-28-01 to include the waivers listed in the resolution; Member Boraski seconded the motion; all board members were in favor with the exception of Member Rocco who voted no. (4-1-0) Member Rocco said he would prefer seeing the planting beds separating the parking lot from the stores.

**ITEM # 5 MOTOR ROOM – MINOR SUBDIVISION – ONE BEN FAIRLESS DRIVE – TMP # 13-51-1**

Manager Gray said this is for TMP # 13-51-1. The applicant proposes that a portion of the parcel consisting of 9.42 acres be sub-divided from the existing parcel of 1,384.4 acres. Ms. Kelly McGowan from U.S. Steel Real Estate and U.S. Steel Corporation said this is a minor sub-division on a portion of a KIPC site. This site consists of an existing building which they refer to as the motor room building. Mr. John Parker, from Keystone Map, said this facility has been vacant for about 30 years. It will be used as a data center or facility that is used for computer servers for third parties. The applicant will comply with the T&M review letter dated March 19, 2014. They have several waivers they have requested due to the existing conditions. U.S. Steel issued a will-serve letter for water and sewer facilities. Member Dence moved to approve Resolution # 14-11 to approve the minor subdivision for the Motor Room, One Ben Fairless Drive, TMP # 13-51-1; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 6 CONSIDER QUOTES FOR THE 2014 MOSQUITO SEASON**

Manager Gray said the township contacted four vendors for mosquito services for the 2014 season. The only vendor who provided a quote was Clarke Mosquito in the amount of \$11,610. Ms. Lauren Wright from Clarke Mosquito explained the services they would provide. This will include trapping for adult mosquitos as well as truck-mounted spraying. They can also provide ‘on-demand’ services, as needed. Ms. Wright reviewed the types of

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products they plan to use. Member Dence moved to approve the quote for Clarke Mosquito in the amount of \$11,610, along with as-needed quotes in the memo dated April 11, 2014; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 7 CONSIDER LANDSCAPING BIDS FOR TOWNSHIP FACILITIES FOR 2014**

Manager Gray said on Friday, April 11, 2014 the township opened bids for 2014 landscaping services as follows: CNS Cleaning Services in the amount of \$18,000; WDB Lawn and Garden in the amount of \$19,615; and Greenscape Landscape Contractor in the amount of \$29,345. Mr. Clarke said the language in our bid specification permits the township to waive technical defects or informalities in the bids. There appears, from the information we have, to have been some technical defects or informalities in both of the low bids. Mr. Clarke said the failure to provide a security deposit is a material defect, is not waivable, and is fatal to the CNS Cleaning Services bid. WDB Lawn and Garden had some technical failures and those technical defects can be waived by the board if the board desires to do that. WDB Lawn and Garden is the lowest responsible bidder. Member Galloway moved to approve the bid for 2014 landscape services to WDB Lawn and Garden in the amount of \$19,615; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 8 CONSIDER BIDS FROM THE BUCKS COUNTY CONSORTIUM FOR TOWNSHIP FUEL**

Member Galloway moved to approve the purchase of unleaded regular fuel from Petroleum Traders Corporation and the purchase of ultra-low sulfur diesel fuel from Superior Plus Energy Services as stated in the April 11, 2014 memo from Manager Gray; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 9 CONSIDER RESOLUTION FOR TOWNSHIP RECORDS RETENTION POLICY**

Ms. Gallagher introduced this item. This change adopts the most recent version of the records manual. Chairman Harvie said this is establishing a policy for us to follow in the future. Member Dence moved to approve Resolution # 14-12 for the Township Records Retention Policy; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 10 CONSIDER QUOTE FOR CAMERAS AT THE FALLS TOWNSHIP BUILDING**

Mr. Matt Markey provided information for the purchase of cameras/equipment. These cameras are transferrable to any other facility. This item is off of the Co-Stars list and is included in the 2014 budget. Member Rocco moved to approve the purchase of cameras/equipment from RF Design and Integration in the amount of \$29,592.38; Member

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Galloway seconded the motion; all board members were in favor. (5-0) Mr. Clarke said this is for purchase of cameras only; the installation will have to go out to bid.

**ITEM # 11 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR THE CONSTRUCTION AT THE QUAKER PENN BOAT RAMP**

Manager Gray said the board is asked to consider authorization to advertise for construction and repair work at the Quaker Penn Park boat ramp. Mr. Sullivan said they believe there are six pilings on the left side which have to be replaced. Manager Gray said the township will receive an insurance check in the amount of \$53,000 for the damage. The work is estimated at \$56,000. They will know more as they move forward. Member Dence moved to open public comment; Member Rocco seconded the motion; all board members were in favor. (5-0) Mr. Guido Mariani said we will get a check for \$53,000 and it will cost us \$56,000. Mr. Mariani said there are 52 docks along the Delaware. He always questions the original proposal to build the boat ramp. He believes the cost of this boat ramp, to Falls Township, has to be approaching \$2M. Mr. Mariani said in addition to these 52 boat ramps already out there, there is a 24-hour, 7-day a week access pier along the Delaware in Bristol. Mr. Mariani said this project is un-necessary and he thinks they should let it go. Member Dence moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Member Galloway moved to authorize advertisement for the construction at the Quaker Penn Boat Ramp; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 12 MINUTES – APRIL 1, 2014**

Chairman Harvie had a correction to item #7 from the April 1, 2014 minutes. His vote should have been no so the vote should read as 4-1. Member Galloway moved to approve the April 1, 2014 minutes as amended; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 13 ENGINEERS REPORT**

Mr. Sullivan said there was a pre-construction meeting for the Pinewood Pool repairs. The contractor should start work on Monday and repairs should be completed before the May 12<sup>th</sup> deadline. Mr. Sullivan gave updates on the 2013 Road Program. PECO should be returning in the next week or so to move the last gas main on Makefield Road. Once that is done, there are about three days of storm sewer work, restoration of the shoulder area, and disturbed earth areas. It should take about two weeks to wrap everything up on Makefield Road. Mr. Sullivan said they should be able to post a schedule on the web by the end of the week. There is about 800 feet of sidewalk on Kirby Drive that needs to be replaced due to the concrete not being as deep as it should be. Member Dence said he has been keeping an eye on Bernard Drive when you turn off of Stoney Hill Road. They have to put the supplies somewhere, but when they ask for the area to be cleaned up, it does get cleaned up quickly. Member Boraski asked about the \$10,000 for dredging on the bill list. Mr. Sullivan said that is done and it should be taken care of. Member Rocco spoke about the Quaker Penn

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Park baseball field. He said the outfield needs some work and the infield is still wet. It is pretty close to being done. He would like 2-3" of top dressing added. Member Rocco would like to have this project completed as baseball season has started. Member Galloway moved to approve the March Engineer's Report dated April 11, 2014; Member Dence seconded the motion; all board members were in favor. (5-0)

### **ITEM # 14 BILL LIST**

Member Boraski said they received their packets on Saturday, April 12<sup>th</sup> and he wants to go over some things with Manager Gray. Member Galloway moved to approve the April 15, 2014 bill list in the amount of \$1,643,635.60; Member Dence seconded the motion; all board members were in favor with the exception of Member Boraski who voted no. (4-1)

### **ITEM # 15 EXECUTIVE SESSION**

Executive Session was held prior to tonight's meeting.

### **ITEM # 16 MANAGER COMMENT**

- 1) Manager Gray spoke about the use of trained border collies to deter geese at the community park. Member Galloway moved to approve the hiring and spending of \$2,000 for geese management, subject to finalization of the indemnity agreement; Member Dence seconded the motion; all board members were in favor. (5-0)
- 2) Manager Gray said the township is accepting applications for lifeguards and concession stand operators for the Pinewood Pool.
- 3) Summer Camp registration can be accessed through the Falls Township website starting on April 17<sup>th</sup>.

### **ITEM # 17 BOARD COMMENT**

Member Rocco asked if the township executed the agreement with Penn Lighting. Ms. Gallagher said she spoke with Mr. Van Gilson. They made a couple of changes to the terms and conditions and we are waiting to hear back from them. Member Rocco said he liked the idea of providing the public with information packets for these meetings. Member Rocco said some friends of his, Jeanine and Pat Davis, are part of a Tourette's Syndrome Support Group that meets on the third Tuesday of each month at St. Mary Medical Hospital. For more information, please call 267-799-8911.

Member Dence said the Spring Yard Waste pick up is scheduled for Saturday, April 26<sup>th</sup>. You have to use bio-degradable bags or trash cans without lids and the waste has to be out by 6 a.m. Regarding the Three Arches, they have recently changed the locks on the doors, have taken the valuables out of the building, and have put candles in the windows. Board members continue to have discussions about Three Arches. Member Dence said there are some people interested in being on the Traffic Calming Committee. Member Dence moved to appoint Mr. Tim Watkins to a 5-year term on the Traffic Calming Committee; Member

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Rocco seconded the motion; all board members were in favor. (5-0) Member Dence moved to appoint Mr. Richard Laventhal to a 4-year position on the Traffic Calming Committee; Member Rocco seconded the motion; all board members were in favor. (5-0) Member Dence moved to appoint Mr. Tom Presner to a 3-year position on the Traffic Calming Committee; Member Rocco seconded the motion; all board members were in favor. (5-0)

Member Boraski said on April 4<sup>th</sup>, the Levittown Continental Little League had their homecoming night. It was a great event. Member Boraski thanked Judge Vislosky for coming out to speak to the kids. He also thanked Member Dence for providing the barbeque.

Member Galloway – no comment.

Chairman Harvie announced the Breakfast with Bunny event to be held on Saturday, April 19<sup>th</sup> at the Senior Center. It will be held from 10 a.m. to 12 noon. Chairman Harvie said he went to the Easter Egg Hunt held this past Saturday. The new Parks and Rec Director, Mr. Andrews, was there. They had a good turnout and everyone had a lot of fun. Chairman Harvie said Miss Fox has started working for the township and is very excited about the position. Chairman Harvie announced Bulk Disposal Day which will be held on Saturday, April 19<sup>th</sup> from 7-11 a.m. This is for homeowners in Falls Township. Residents may bring items to the landfill, but it does not include anything hazardous or any electronics. The street sweeper is continuing to go through the township. Some people have been asking about Verizon and markings in various areas. Verizon is starting to complete their build out. At this time, we do not have a date as to when they will lay the lines. The township cannot force them to move faster as they are a private company. Chairman Harvie wished a Happy Passover to the Jewish residents in Falls Township. He also wished everyone a Happy Easter as well.

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 8:53 p.m.

  
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Jeffrey Rocco, Secretary