

**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	PRESENT
DOROTHY VISLOSKY, SUPERVISOR	PRESENT

The meeting commenced at 7:32 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, and Township Engineer James Sullivan.

**ITEM # 1 SIMS METAL MANAGEMENT – PRELIMINARY LAND
DEVELOPMENT 300 SOUTH STEEL ROAD – TPN 13-47-147**

Manager Gray introduced this item. The applicant is represented by Mr. Doug Maloney. Mr. Maloney said this application involves additional development of an already developed industrial site on South Steel Road. This project involves a total of less than 10,000 sq. ft. of buildings that will house additional metal processing equipment. They are trying to get this up and running very quickly in order to house this equipment. The total size of the site is 50 acres. Mr. Maloney said they had a series of waiver requests, but they are trying to reduce this to one or no waivers. Mr. Maloney requests that the board table this item tonight. They would like to bring the plans back to the next Board of Supervisor's meeting and will request both preliminary and final land development approval at that time. Mr. Maloney presented information on this project. He said this is an existing metal processing facility. Member Szupka asked if this was a recycle operation for scrap metal. Mr. Maloney said they process the metal and then it is recycled at another facility. Member Szupka asked if the shredder is enclosed. Mr. Tom Mazza said the shredder has already been up and running for several years. Member Szupka asked about additional particles going into the air and if their permits would have to change. Mr. Mazza said nothing will change, but they will ask the DEP to amend their air permit for this process. They will still meet environmental standards. Mr. Mazza said the system they are putting in has a dust collector. Member Szupka asked about the tire cleaning area. Mr. Mazza said it would have a concrete containment area. Their inlets have stainless steel sacks to capture any particles from the tire cleaner. Member Vislosky said she doesn't think there is anyone on this board who understands the zoning ordinance as well as she does. She said on advice of counsel, she would not address this issue and will probably abstain from any vote on this tonight and in the future. Member Snipes asked if moving from gravel roads to concrete roads would have a positive impact on the silting of the basin. Mr. Mazza said right now the interior roads are all stone. A lot of the dust has kicked up and the silt is working its way into the storm water management as result of the stone. One of the things the conservation district wanted them to do was to pave the roads. Member Snipes asked Mr. Sullivan if he

Board of Supervisors – May 4, 2010

had any comments on the impervious surface or any issues with storm run off. Chairman Harvie said the plans were reviewed by Mr. Baker from Traffic Planning and Design. Mr. Baker said the storm water run off is one of their concerns and that is why the applicant is going to take a couple of weeks to address these issues. They propose to slope the roads toward the center of the site to help reduce the run off around the perimeter. Between the loop road and the edge of the wetlands, they are proposing to stone that area to reduce sediment into the wetlands. Member Dence asked if they were confident they wouldn't have any waivers when they come back. Mr. Maloney said they are relatively confident they will not need the waiver. Chairman Harvie said another issue raised by Traffic Planning and Design was about vehicles parking on South Steel Road, obstructing the views of other motorists. He hopes that issue will be addressed before the next meeting. Chairman Harvie said he appreciates the efforts the applicant is taking to keep the roads clean and to make sure there are no metals or debris on the road. Member Snipes moved to table the matter of Sims Metal Management until the next Board of Supervisor's meeting; Member Dence seconded the motion; all board members were in favor with the exception of Member Vislosky who abstained from the vote. (4-1)

ITEM # 2 CONSIDER FINALIZING AWARD FOR THE CHALLENGER FIELD TO LANDMARK CONSTRUCTION SERVICES, INC.

Manager Gray said that on March 16, 2010, the board approved the notice of intent to award a bid for the Challenger Field project to Landmark Construction Services, Inc. T&M Engineering recommends finalizing the award to Landmark Construction Services, Inc. Member Vislosky thanked Mr. Mathias for his part in getting this project moving along. She said it bothered her to hear about the condition of the Challenger Field. Member Vislosky said Senator McIlhinney promised to donate \$40,000 toward the Challenger Field improvements. Member Vislosky asked Mr. Sullivan how much this project would cost. Mr. Sullivan said it will cost \$238,795. Member Vislosky moved to finalize the award for the Challenger Field to Landmark Construction Services, Inc.; Member Szupka seconded the motion; all board members were in favor. (5-0)

ITEM # 3 CONSIDER AWARDED BIDS FROM AUCTION OF SURPLUS EQUIPMENT

Manager Gray said the township had five surplus vehicles for auction. There was interest in two of the vehicles. Member Szupka said he would like to see the three vehicles that were not bid on, to be considered for donation to the Purple Heart. Member Szupka moved to approve the bids for two surplus vehicles; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 4 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON – FORTY-FIVE MINUTE MAXIMUM

Mr. Roland Kenney said about a year ago he showed his support of the proposed storage area in the old Pathmark building. Mr. Kenney believes the applicant has gone elsewhere. Mr. Kenney said the building is dilapidated and there are skids and trash in the rear of the property. Mr. Kenney asked if grants are usually awarded for specific items. Chairman

Board of Supervisors – May 4, 2010

Harvie said it depends on the grant. Mr. Kenney said he heard comments that Falls Township has plenty of money. He doesn't think anyone should be saying that because if it gets back to Harrisburg, they may not give us any more grant money. Mr. Kenney said if you tell a big enough lie over and over again, eventually people will start to believe it. Chairman Harvie said the proposed development at the old Pathmark building was approved for a storage facility. The developers ran out of money for this project. This property has now been sold to another business and they are in the process of moving in. They don't know what the status is, but the new business will not be changing the size of the structure.

Mr. Tim Watkins said his street is one of the streets included in the 2010 Road Improvement Project. He said he had work done on his property 4-1/2 years ago and is concerned over the lack of communication to inform residents of when their streets would be reconstructed. Mr. Watkins asked about any recourse for his work and hopes they can come up with a solution. He said he researched the contractor to do his work and is concerned over the quality of the work by the township's contractor. Chairman Harvie said a couple of years ago the road program was accelerated. At that point, Oxford Road was included. They wouldn't have known about that road 4-1/2 years ago. Chairman Harvie said they have to make a decision on how far back they will go. They don't really know yet how they will deal with that. Chairman Harvie said by state law they have to go with the lowest bidder. He said Falls Township has strict rules and the engineer has the responsibility of looking into all of the contractors to make sure they are responsible. Member Vislosky said she believes in fairness. She said a lot of the time, the schedule is made according to who runs for office. Member Vislosky said if your sidewalk is broken the inspectors tell you that you have to replace it and so you fix it. Member Vislosky said it is the township's responsibility to notify all the homeowners for when their streets will be done.

Mr. Guido Mariani had concerns about the recent oil spill in the Gulf and how it will affect all of us. He said there are about 35,000 wells in the Gulf and that is where 30% of our domestic oil comes from. Mr. Mariani said oil supplies about 40% of our energy and about 99% of the fuels for our cars and trucks. Mr. Mariani spoke of the 29 coal miners who were buried this past week. Mr. Mariani said by 2025, coal will supply us with 51% of our power. Mr. Mariani said that nuclear energy is an energy source that is clean, safe, economically reliable, and environmentally safe. Mr. Mariani spoke about several disaster areas. He said the ecosystem isn't that fragile and adjusts itself. Mr. Mariani said to tell your representatives that we want to be energy independent and that we want to develop our sources. Mr. Mariani said there are 31,000 oil spills a year and most of them worse than the Valdez. Member Snipes said he would send Mr. Mariani some articles. Member Snipes said Denmark gets about 40% of their electricity from wind.

Mrs. Dorothy Vislosky spoke about a heart attack she had last week. Mrs. Vislosky said the Challenger Field is so important to her. Mrs. Vislosky said she will be leading the fight in Falls Township to elect school board members who care about the taxpayers and especially care about the children. She is asking people to register to vote. If anyone cannot find a place to register, she will send someone to their home to assist them. Mrs. Vislosky said there are 32,000 registered voters in Falls Township and the last year's election was won by people because only 3,700 of those registered voters came out. Mrs. Vislosky said to vote

Board of Supervisors – May 4, 2010

in May and vote in November. If you miss the May Primary, you had better vote in November. She will write a newsletter and report on how your school board is being run. Mrs. Vislosky said participation is the most important thing you can do for your government.

Ms. Regula Sheehan said she would like to vote but she needs transportation. The last time she went to vote she fell. Member Vislosky asked for Ms. Sheehan's phone number and said she would help. Ms. Sheehan said everyone is concerned about germs and the environment, but yet they still litter. Ms. Sheehan cannot bend over to pick up the trash on her property. Ms. Sheehan said no one enforces the litter law. Member Vislosky told Ms. Sheehan to make a complaint to the township. Ms. Sheehan asked if anyone can urge PENNDOT to speed up the pothole repair work. Member Snipes said he would be happy to stop by and help clean up Ms. Sheehan's property.

Mr. Ed Mathias thanked the board for the help with the Challenger Field. Mr. Mathias spoke about the road program. He asked how General Asphalt can get away with not finishing one area before beginning work at another area. Mr. Mathias said he has an issue with his sidewalk. Mr. Mathias said the grass island is also lower than the sidewalk. Mr. Mathias wanted to know how long they will have to wait to get the work done and wanted to know if they could get someone else to do this work. Mr. Clarke said to do so, the engineer would have to have them declared in default on the original contract. If the engineer did not declare them in default, they can bid on future programs. Mr. Sullivan said to declare them in default they would have to walk off the job. Mr. Sullivan said they are still holding money from General Asphalt. As far as the patches go, the neighbors of Mr. Mathias insisted on having it taken out. If it gets taken out they will end up with a patch in the road. Mr. Mathias said the dirt they use contains a lot of rocks. Mr. Mathias said he doesn't know the point in hiring them for a new project if they cannot finish what they have started. Mr. Sullivan said they are still working on the punch list for the 2009 Road Program. He said they cannot hire someone else to do work if they continue to work. Mr. Mathias wonders how many times it will take them to do the work and get it right. Mr. Sullivan said they should be out to address Mr. Mathias' issues in the next week or so. Mr. Sullivan said he has been out there with General Asphalt to point out what needs to get done. Chairman Harvie said there is a timeline in the contract. Should they be a low bidder this year, they will expect them to move in a different way than they did last year. Member Vislosky said if you look at campaign contributors you will find your answer there. Member Vislosky said the people at home have a responsibility to do what Mr. Mathias is doing and that is to make their complaints known.

Mr. Mark Smith said he was in front of the board at the last meeting in regard to his driveway apron, curbs, and sidewalk. He asked if it would be possible for the residents to see a copy of the document stating the reasons that were given as to why their roads were chosen to be included in this year's program. Manager Gray said it was a verbal discussion between Mr. Arnao and Mr. Sullivan. Mr. Sullivan said Mr. Arnao is the one who is most familiar with the condition of the roads in the township. Mr. Sullivan said Mr. Arnao set the priority that Pennsbury Heights was in the worst shape. Mr. Smith said there seems to be a lot of controversy about what needs to be done. Mr. Sullivan said they took core samples and there is very little asphalt in those roads. The roads do not meet township

Board of Supervisors – May 4, 2010

specifications. There will also be some trees that will need to be removed. Mr. Sullivan said anything that is done as part of the road program will be at no cost to the residents. As far as storm sewers, there may be replacement pipes and new inlets in those roads.

ITEM # 5 MINUTES – APRIL 20, 2010

Member Snipes moved to approve the minutes of April 20, 2010; Member Dence seconded the motion; all board members were in favor with the exception of Member Szupka and Member Vislosky who both voted no. (3-2)

ITEM # 6 EXECUTIVE SESSION – There was no Executive Session held.

ITEM # 7 MANAGER COMMENT

1. Member Snipes moved to approve the purchase of a new video camera in an amount NTE \$1,900 for the D.A.R.E. program; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 8 BOARD COMMENT

Member Szupka – No Comment.

Member Dence reminded the public that there are a lot of children out at night and to be aware of them.

Member Vislosky wants to work on getting the Fairless Hills Athletic Association another area or field so the older kids can play baseball. Mr. Sullivan said they will look at Quaker Penn Park to see if the baseball field could fit there.

Member Snipes recently raised the issue about the condition and appearance of the outside of the township building. He would like them to start thinking about getting the ball rolling to improve the parking lot, trees, building façade, and signs. Manager Gray said recently the board awarded the landscaping bid to Don To Dusk. After that award, Manager Gray had a discussion and asked the owner to spruce up the entrance to the front of the building. Member Dence said Mr. Dell has also spoken a lot about this issue. He thinks something should at least be done with the atrium. Chairman Harvie asked for board members to suggest ideas for what needs to be done.

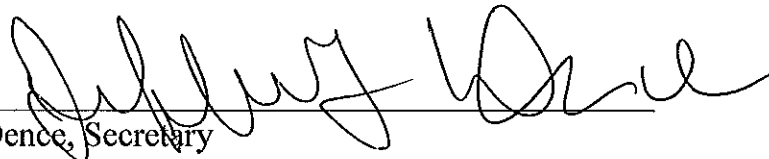
Chairman Harvie spoke about looking for a location for the ball field. He said there are not a lot of fields of that size open. They have been in touch with the president of the Fairless Hills Athletic Association. They called around to several places and there are not a lot of places available. When the boat ramp is complete, they have to see if there is room in that area for a field. Chairman Harvie said there are roads in the township that are available for adoption. If any individuals or groups are willing to help keep a roadway clean, there is a link on the township website where they can get more information. They are generally asked to clean up two times a year. Chairman Harvie said as the weather gets nicer, more people are outside and more people walk their dogs. There is an ordinance in this township that you must pick up after your dog. Just like littering, you have to catch the people who do not pick up the waste in order to cite them. It is part of being a responsible pet owner.

Board of Supervisors – May 4, 2010

Chairman Harvie said about a month ago they received a report from the traffic engineer about a pedestrian walkway. He would like to schedule a presentation at a future meeting where they can have some discussions and then decide what to do. Chairman Harvie would like everyone to see what options are available. Member Vislosky said it needs to be widely advertised so the public can come out and express their opinions. Chairman Harvie said the township has purchased some equipment to help curtail speeding. He would like to see a presentation such as a town hall meeting involving Traffic Planning and Design and the police department. (Member Vislosky left the meeting at 9:02 p.m.)

Chairman Harvie said there have been questions about fire pits and chimeneas and the fire marshal has asked him to pass along some information due to complaints he has had. Open burning is illegal in Falls Township. The type of fire pit or chimenea that has a screen is the safe way to burn wood outdoors. A fire pit that does not have a screen is considered open burning. Chimeneas are legal, however, you have to be burning wood, not trash or leaves. If you do have a neighbor that does this, try talking to them and see if you can work it out between yourselves. If it does not work out, you can call the non-emergency police department phone number. Also remember to keep these items away from your home. The next Board of Supervisors meeting will be held on Monday, May 17, 2010.

Member Snipes moved to adjourn the meeting; Member Szupka seconded the motion; all Board members were in favor with the exception of Member Vislosky who left the meeting early. (4-0) The meeting was adjourned at 9:05 p.m.



Jeffrey Dence, Secretary