

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JEFFRY DENCE, VICE-CHAIRMAN	PRESENT
JEFFREY ROCCO, SECRETARY	PRESENT
JONATHAN SNIPES, SUPERVISOR	PRESENT
BRIAN M. GALLOWAY, SUPERVISOR	PRESENT

The meeting commenced at 7:00 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Snipes. Member Snipes joined the meeting at 7:03 p.m. 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 asked about Biles Island and wanted to know who owned it. Chairman Harvie said right now, the island is owned by Waste Management. One of the parts of the 2005 agreement, is that when Waste Management is finished with their operations, they would seed the land to Falls Township for \$1.00. The part we are talking about moving forward on, is a part that they have been finished with for a long time. They will still be using the island for another ten to fifteen years. Mr. Kenney said he thinks this particular project should be placed on the ballot in November. If you get a response of 51% to go for it, then he will back it. Mr. Kenney wished everyone a good night.

Mr. Doran Johnson said he is against the proposed propane project and any propane tanks in his neighborhood.

Mr. Guido Mariano said he is going to respond to what he interprets as criticism of a comment he made at the last meeting. Mr. Mariani asked why we spend millions of dollars to provide facilities to accommodate an insignificant number of our residents. That is what he believes. Mr. Mariani said today is his 53rd wedding anniversary. He was married September 3, 1960. He said he has a little more experience than others when it comes to dealing with criticism. Mr. Mariani said if you look at Section 607 of the Second Class Township Code, it places the affairs of the township in the hands of the supervisors. The reason he made the comment is that it doesn't take a genius to see what happens when the number of township commitments, which continue to grow, outgrows the economy which supports them. As they add up, they become unsustainable and then we have to reduce or, in some cases, deny altogether the resources that we should give to people. Mr. Mariani said he will ask again about getting a leaf vacuum service. He said this would help all of the

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residents of the township. Mr. Mariani asked if we have received the \$385,000 from the Community and Economic Development Block Grant for the senior center and also questioned the cost. Chairman Harvie said the \$385,000 was received. Manager Gray said \$385,000 was a reduction off of the total cost of the senior center project. Mr. Clarke added that the senior center was \$1.3M minus the \$385,000. Mr. Mariani said he believes our spending on non-essential services is out of control and he also thinks we need some more fiscal discipline because discipline will determine our future.

Ms. Janet Morris said she lives in close proximity to the proposed East Coast Propane site and said the company is requesting a variance. They say it is safe, but there was a recent explosion at a smaller propane tank facility than what is being proposed here in Falls Township. Residents who lived miles away were evacuated. Small tanks were like bombs going off. Ms. Morris thinks Falls Township should deny this. She said the mobile home residents pay taxes, but they weren't made aware of this since they aren't property owners. Ms. Morris said everyone that she has spoken with is against it and there are over one thousand residents in close proximity to the proposed location. Ms. Morris said in her neighborhood they already have a natural gas pumping facility at the end of Cedar Lane. She asked the board that they uphold the code that is in place for a reason. She doesn't see what the township has to gain with this project. Chairman Harvie told Ms. Morris that he thinks everyone else agrees with her. What the applicant has to do is to go to the Zoning Hearing Board and ask the Zoning Hearing Board for the variance. We, as a township, will ask our solicitor to go and support us on behalf of the township. If East Coast Propane plans to move forward with this project, we have directed our solicitor to be at the Zoning Hearing Board meeting. Mr. Clarke said the hearing is scheduled for Tuesday. They have every indication that the hearing will be continued. Mr. Clarke said they have contacted the applicant's attorney and have made it known that the township is against this proposed project. This is a use variance. The standard for granting a use variance is much higher than a regular variance. It would be very difficult for this applicant to meet his burden for a use variance and there is the possibility that the applicant may withdraw their application and it may never come before the Zoning Hearing Board. Registering a complaint with the Department of Community Affairs, filling out a form and giving it to Manager Gray, and coming here tonight has absolutely no legal effect. Mr. Clarke told Ms. Morris that she needs to show up at the Zoning Hearing Board meeting, she needs to request party status, and she needs to go on record stating her objection. They are only allowed to consider what is in front of them at the time. Concerned individuals should check the website on the morning or afternoon of the meeting to see if it is on the agenda.

Mr. Peter Jacques, 6 Corbin Lane, said he is against this project. He is worried that the value of homes will significantly decrease. They already have, in close proximity, a chemical factory, Kmart, train tracks, and a landfill. The health and stress factor of these things put fear in people. Mr. Jacques said for elderly people, it will probably disrupt sleeping patterns. Older people who live nearby are fragile.

ITEM # 2 CONSIDER PURCHASE OF LED STREET LIGHTS FOR PENNS GRANT

Manager Gray said Mr. Arnao, from Public Works, has secured a quote for the purchase of new LED street lights for the Penns Grant development. This purchase is from the Costars list and work will be completed by our Public Works Department. This purchase in the amount of \$32,859 is in the 2013 budget. Mr. Joe Arnao spoke about this project. The current lights are outdated and these replacement lights will brighten up the neighborhood. The 50 new lights are colonial style. Member Snipes moved to approve the purchase of the LED street lights in the amount of \$32,859 as per Manager Gray's memo dated August 29, 2013; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 3 DISCUSSION ON TRAFFIC SIGN PLANS FOR NEW FALLS ROAD AND TYBURN ROAD

Mr. Thomas Beach from Remington, Vernick and Beach, said they took a look at the intersection of New Falls Road and Tyburn Road and have come up with some ideas which they have discussed with the township. Board members asked about the traffic patterns and timing of the traffic lights. Mr. Mike Angelestro, traffic signal expert from Remington, Vernick & Beach Engineers, said they propose a split-phase which would allow the northbound New Falls Road approach to have a green indication with all other approaches stopped and then the southbound New Falls Road approach will have a green indication with all other approaches stopped. The timing and phasing associated with the Tyburn Road approaches will remain unchanged. They expect the level of service will improve, both in the morning and evening hours. They plan to add a couple different signal heads and a couple of signs will be removed. Member Snipes said he thinks this makes a lot of sense and thinks this will improve the intersection. He asked if they thought this would increase the delay. Mr. Beach said from an overall perspective, they will be improving the level of service. Member Dence asked Mr. Beach if this work was something that our Public Works Department could do. Mr. Beach said it will probably be done by whoever does your traffic signal maintenance. Member Rocco thinks this will be an improvement. Chairman Harvie said this is an intersection he travels every day. It is a pretty dangerous intersection with lack of visibility and confusion. Mr. Beach said that since this project is under the bid threshold, they can work with the township's traffic signal maintenance personnel or put it out to bid. Member Dence moved to approve moving forward with the submission to PENNDOT and getting the final approval; Member Snipes seconded the motion; all board members were in favor. (5-0)

Chairman Harvie asked Mr. Beach for an update on the proposed New Falls Road sidewalk project. Mr. Beach said as he submitted to Manager Gray today, there are three commercial property owners who will be most affected by the sidewalk project. They will have a meeting with those three property owners. He doesn't think they will lose any parking spots at those locations, but before he submits preliminary plans, he wants to meet with those commercial property owners.

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ITEM # 4 CONSIDER RESOLUTION FOR THE PURCHASE OF MOTOROLA RADIOS FOR FIRE AND POLICE

Manager Gray said a resolution is needed for the purchase of Motorola radios for fire and police. Lt. Hank Ward provided information to the board in regard to the radios. The amount of these radios is: \$67,000 for the Levittown Fire Co. No. 1; \$98,000 for the Falls Township Fire Company; and \$100,000 for the Fairless Hills Volunteer Fire Department. The Falls Township Fire Marshal's office cost is \$64,800 and the cost for the police department is \$614,000. This has to be set up by Motorola. Lt. Ward said he feels confident that they will come in around \$233,000 to \$210,000 under budget. Member Snipes moved to approve Resolution # 13-25 to participate in the purchase contract with the County of Bucks and Motorola; Member Galloway seconded the motion; all board members were in favor. (5-0) Member Dence moved to authorize the expenditure of NTE \$720,000 for radios for the police, Fire Marshal Office, and road crew; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER APPLICATION FOR THE 2013 FALL BARE ROOT TREE PROGRAM

Member Snipes moved to approve the purchase of fifty bare-root trees at the cost of \$50 each for the total amount of \$1,000; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER WITHDRAWAL OF AUTHORIZING ADVERTISEMENT FOR AMENDMENT TO THE HOUSING STANDARD ORDINANCE – CHAPTER 138 SECTION 2G - AMENDMENTS

Chairman Harvie said at the July meeting, the township authorized advertisement for an amendment to our code in regard to vehicles parked on lawns. It has sparked quite a lot of debate among residents and also board members as to what direction they want to go. They have received quite a few phone calls and e-mails from concerned individuals. At the moment, they want to pull this draft of the ordinance off the table. There is a need to strengthen our code which deals with people who have a 'project' vehicle versus people who might have vehicles parked on their property in a totally different manner. Chairman Harvie said they will do something, but they will be looking at this again for further discussion. Board members all felt the proposed ordinance was too restrictive. Member Dence moved to withdraw the authorization to advertise the amendment to Chapter 138, Section 2G – Amendments; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER FINALIZING THE AWARD FOR THE 2013 ROAD PROGRAM

Mr. Sullivan said the Engineer's office reports that J. D. Morrissey, Inc., and its subcontractors, meet all of the requirements of Chapter 146 of the Falls Township Code, and it is therefore recommended that the Board of Supervisors finalize the award of contract to

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J. D. Morrissey, Inc. for the 2013 Road Program in the amount of \$5,439,168.68. Member Snipes moved to finalize the award, to J. D. Morrissey in the amount of \$5,439,168.68, for the 2013 Road Program; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 8 MINUTES – JULY 16, 2013 AND AUGUST 20, 2013

Member Dence moved to approve the minutes from July 16, 2013; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Dence moved to approve the minutes from August 20, 2013; Member Rocco seconded the motion; all board members were in favor. (5-0)

ITEM # 9 EXECUTIVE SESSION

Executive Session will be held after adjournment of the meeting.

ITEM # 10 MANAGER COMMENT

There was no Manager Comment.

ITEM # 11 BOARD COMMENT

Member Rocco – no comment.

Member Dence said at one time the township had a leaf vacuum truck. It is almost unsafe for us to have a leaf vacuum. People blow their leaves into the street and since a great majority of people park their vehicles in the street, it is a fire hazard. It is not practical for us to get this. Member Dence said the gun buy-back program is something he was opposed to for a long time until something happened at a sporting goods store here in our township. He believes that any guns taken off the street is a good thing and it is worth it.

Member Snipes said Historic Fallsington Day is October 12th. There will be Native American dancers, Punch & Judy, various booths, and vendors. It is a great day and it is free. Member Snipes said there will be a dinner and auction on November 16th. This fundraiser will support Historic Fallsington.

Member Galloway – no comment.

Chairman Harvie said there are very few people who are trained enough to know that when a junk gun is pushed in their face, it is indeed, a junk gun. It is better to get these guns off the street. Chairman Harvie said Mr. Mariani makes continued reference to the fact that they spend money to help just a few people in the township. Chairman Harvie said that since he has been on the board they have spent money on roads, money for dog owners, boaters, people who play soccer, people who play baseball, skateboarders, and senior citizens. Chairman Harvie said he doesn't think those are small percentages of the township when you start adding them together. We have one of the largest populations of senior

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citizens in Bucks County. Giving kids a place to go for recreation is a good thing. If we can do something to keep kids occupied and doing something fun, that is a good thing.

Chairman Harvie said since he has been on the board, the amount of money that has been in the savings account has gone up. While they have done these things, they have been able to keep taxes the same. Chairman Harvie said he understands Mr. Mariani's point, but believes he just sees tiny little pieces of the township being helped and thinks it is a bigger number than Mr. Mariani thinks. Chairman Harvie said he will agree to disagree with Mr. Mariani. Chairman Harvie said they will report on Executive Session at the next meeting.

Member Dence moved to adjourn the meeting; Member Rocco seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 7:55 p.m.

Jeffrey Rocco, Secretary