

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:05 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, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

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

Mr. Bill Ervin spoke about the mosquito bites his two-year old son received while playing outside in their backyard. Mr. Ervin said he and his family cannot enjoy their yard due to the mosquito problem caused by the stagnant water in the creek behind his home. Manager Gray said mosquitos are an on-going problem. Whenever they get complaints, they refer them to the county for spraying. In addition, for this particular area, it has been referred to the engineer's office to look at this further. Mr. Ervin asked what progress has been made. Mr. Sullivan said they sent survey crews out to this area. They recently completed their analysis. They will take the data, prepare base maps, and see what can be done about increasing the flow. Chairman Harvie asked what could be done short-term. Mr. Sullivan said with it being so overgrown, cleaning it up may help some. Chairman Harvie asked if the county sent anyone out to check on this. Manager Gray said they received one phone call about a week or so ago. He has not yet received notification from the county as to when they will do anything, but he will check with them again as to the status. Mr. Ervin said last year he called the Board of Health and someone was out in a day. They told him that since this is township property, they would work with the township to set up a plan. Mr. Ervin said the long-term solution is to get the water moving. The short-term solution is to spray and put tablets in the water. He also heard of a solution to stock the creek with fish since the fish will eat the larvae. Mr. Ervin said something needs to be done because his family cannot sit in their backyard due to this problem. Mr. Ervin said when he reached out to Representative Galloway about permitting fees, he was told they might be able to reduce the fees. Chairman Harvie said they have to figure out what they need to do before they can apply for a permit. Mr. Sullivan said the cost of the permit is not the issue; it is the cost of us preparing the permit. Chairman Harvie said applying for the permit is where we incur the costs. We have to ask if we can do something and then we have to supply information

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and documentation. Mr. Sullivan said he will come to the board with a proposal next month. Once they have all of the permits ready and they submit them, then Representative Galloway is who we would talk to right away. Mr. Ervin asked if they can stock this creek with fish. Manager Gray said they could look into that. Chairman Harvie said this is not classified as a creek. It is a ditch. Chairman Harvie asked Manager Gray to contact the county tomorrow and see if they can do something, including the spraying. Mr. Ervin said this is a problem for everyone, not just his family.

Mr. Andy Dell asked about the mosquito trucks that use to spray years ago and wondered if the township had anything like that. Member Dence said there was a recent article in the Bucks County Courier Times that listed areas in Croydon and Bristol Township that would be sprayed for mosquitos. Mr. Dell said these ditches are drainage ditches and if you dredge these ditches, you will just have deeper standing water. Mr. Sullivan said he is not sure pumping in additional water will solve the problem. Mr. Sullivan said if they can put in a culvert and allow it to start draining properly, it may help the problem. Mr. Dell asked if they can make it a maintenance task to put in the tablets. Chairman Harvie said they can ask Mr. Arnao to start looking into this tomorrow and try to get something done about this problem.

Mr. Gallus Obert spoke about the creek in the area of Olds Boulevard from Hanford Road all the way down. He said for five years, he has been after the county to do something and nothing has happened. The water is still standing there. Mr. Obert asked for information about when the change will take place on Route 1 at the North Oxford Valley Road intersection. He said the property has been sold, it has been ten years, and nothing has been done. Chairman Harvie said the state has taken it off their list and they don't have plans to work on this project any time soon. Mr. Obert asked about the status of the senior center project. Chairman Harvie said they are waiting for the Department of Housing and Urban Development, which is who we have this grant through, to release the funds. They should be doing that by the end of this month, and then there will be a 30-day review. Hopefully in August, we will get the news to start moving forward. Chairman Harvie said regarding the senior center, in 2010 we applied for the grant and were told in January, 2011 that we got the grant money. The Community and Development Block Grant was on the chopping block so for the first six months of 2011, we were told there was a good chance we might not have all of the money. We could not do anything until they heard from Congress. In June of last year when we heard the money would be there, the engineer did the environmental study, the site work, and the reviews. We sent the information to the county and the county did not look at it until November or December. They did nothing for four or five months. We got tired of waiting and started contacting some people in Doylestown. Now, six months later, we are told they have completed the review and they will release the funding. Chairman Harvie said this has been very frustrating. Their best hope is that sometime this fall they can break ground. They have had a contractor ready to go for one and a half to two years. One thing, when you apply for a grant, is that you have to abide by someone else's rules. Mr. Clarke said the nature of this grant, in the amount of \$385,000, is that if we begin the project or begin to spend money before the grant is released to us, we can lose the grant. With regard to the Bristol-Oxford Valley Road, which has been going on

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for sixteen years, PENNDOT has the Traffic Improvement Plan (TIP). When your project comes off the TIP list that means they have no funding for it. About four to six years ago this came off the TIP list. Until we get notified that it is back on the TIP list, the project has to sit. It is not our road and we cannot do anything about it.

ITEM # 2 CONSIDER PURCHASE OF TWO FORD CROWN VICTORIAS FOR THE POLICE DEPARTMENT

Manager Gray said the police department is looking to purchase two 2011 Ford Crown Victoria cars from Hondru Fleet in the amount of \$54,346. This purchase is from the Costars list. Corporal Mark Bertone was present to answer questions. Member Snipes moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Andy Dell suggested that since Ford is no longer making these cars, if the police department could find two or three more of these cars, they can have them available for when they are needed. Mr. Dell asked if the other driver's insurance company paid for the police car from the accident involving Officer Kileen. Chairman Harvie said they received a little over \$24,000. Mr. Dell said he believes, in the long run, it is a huge savings to purchase a few more of these cars. Member Snipes moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Corporal Bertone said while it is a good idea to take these cars apart and store parts, the problem is the space required to store the parts. Member Galloway moved to approve the purchase of two Ford Crown Victoria cars from Hondru Fleet in the amount of \$54,346; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 3 CONSIDER RENEWAL OF THE POLICE CHIEF'S EMPLOYMENT CONTRACT

Chairman Harvie said Chief Wilcox has been the Police Chief in Falls Township for five years. His contract five years ago was a five-year contract with five subsequent years added on that would renew, unless the township did not want to renew. Chairman Harvie said he is very happy with the job Chief Wilcox has done. Member Snipes echoed Chairman Harvie's comments. Member Snipes said Chief Wilcox has done an excellent job responding to emergencies in the township and in the way he runs the police department. Member Dence said he does a wonderful job. Member Galloway moved to extend the employment agreement for Chief Wilcox for another five years; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER APPROVAL OF THE PAWN SHOP ORDINANCE

Ms. Gallagher introduced this item. She said the state allows us to put more restrictions on these types of businesses including pawn shops and cash for gold type of businesses. This will require that a manual license be required and renewed for each business location. The business are required to report to the police department any items brought into the store so the police can check to see if any items may have been stolen. The businesses have to hold onto those items for ten days. Member Snipes asked if they had any reaction from the owners of these establishments. Ms. Gallagher said this has been advertised, but she is not

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aware of hearing anything back from these businesses. Member Snipes said, essentially, this is to help find any items that may have been stolen. Member Dence said this is a great idea and something that we need. Member Rocco asked how many of these types of businesses are in Falls Township. Manager Gray said there are three. Member Rocco asked how this would work. Ms. Gallagher said any dealer who wants to run a cash for gold business, pawn shop, or similar business model will have to abide by the township ordinance. These businesses would have to use the same software that the police department uses, and they would need to report everything. This does cover transient businesses as well as established businesses. Chairman Harvie explained how these types of businesses would have to photograph the seller, enter the detailed item information into the computer, and hold the item for up to ten days. This will give the police department some time to determine if the item has been stolen. Chairman Harvie thanked Ms. Gallagher and the police department for their work on this ordinance. Member Dence moved to approve Ordinance 2012-2 for the Pawn Shop Ordinance; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER APPROVAL OF THE TELECOMMUNICATIONS ORDINANCE

Ms. Gallagher said the township proposes to modify a large portion of the telecommunications ordinance regarding conditional use hearings, specifically for the replacement of in-kind, damaged, or obsolete antennas. These would no longer be required for a conditional use hearing. They would be required to go to the Planning Commission, but only in certain districts. Mr. Tom Bennett said this is to streamline the permit process and allow a new antenna or change the size of an existing antenna. This makes it so that the applicant won't have to go to the Zoning Hearing Board and jump through so many hoops. It is a little bit easier process for everyone. Member Rocco asked if they can install these antennas at a different height on the tower. Mr. Bennett said with new technology, they can install the antennas lower and get better reception. If they exceed the height, they still have to go the Zoning Hearing Board. Chairman Harvie said they still come to us for conditional use if they are in an area near a residential area. If they are in an industrial area, they do not usually have to come before us. Mr. Bennett said if it is a new tower, they still have to come before us. Ms. Gallagher added that if it is a new co-location, they would also have to come before us. Member Dence moved to approve Ordinance # 2012-3 for the Telecommunications Ordinance; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER APPROVAL OF CHANGE ORDER FOR QUAKER PENN PARK BABE RUTH BASEBALL FIELD

Manager Gray said the township has received correspondence dated June 20, 2012, from T&M Associates in regard to change order #1 for an increase in the amount of \$30,730 to the original contract for the Quaker Penn Park Babe Ruth Baseball Field. This includes furnishing and installing all materials to the field drainage system due to wet conditions on the site. This was in the amount of \$23,225. They also needed to import and install an additional nineteen loads of topsoil to supplement a shortfall of suitable material on site.

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This portion was in the amount of \$7,505. The total amount of the change order is in the amount of \$30,730. Mr. Sullivan gave an update on this project and said the field is essentially complete. They hope to be able to use the field in the spring. Member Snipes asked if the additional topsoil was expected early on. Mr. Sullivan said it was expected and they are happy it wasn't more than the nineteen loads they needed. Member Dence asked Mr. Sullivan to explain the drainage system. Mr. Sullivan said it is an underground system for the field. When the project was progressing they expected some wet conditions and they wanted to make sure the water drains quickly after a rain storm. Member Rocco asked what the underground material was made of. Mr. Sullivan said it is plastic pro-rated pipe and rock base around the in-field. Member Snipes moved to approve change order # 1 in the amount of \$30,730 for the Quaker Penn Park Babe Ruth Baseball Field; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER APPROVAL OF CHANGE ORDER FOR FALLS TOWNSHIP COMMUNITY PARK PARKING EXPANSION

Manager Gray said the township received a correspondence from Mr. Sullivan dated June 20, 2012 regarding the Falls Township Community Park parking expansion change order #1, resulting in an increase of \$4,415.70. This includes relocating three parking spaces at the front of the existing skate park, minimizing the chance of skaters entering the loop road, the installation of ten tons of wearing course material at the parking lot to improve grading due to existing conditions. Member Dence asked if there is still more room behind the basketball courts to add more parking. Mr. Sullivan said yes. Member Snipes moved to approve change order #1 for the Falls Township Community Park parking expansion in the amount of \$4,415.70; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDER AUTHORIZING NOTICE OF INTENT TO AWARD BID FOR THE FALLS TOWNSHIP COMMUNITY PARK SOCCER FIELDS

Manager Gray said the township received a letter from Mr. Sullivan dated July 12, 2012, regarding the Falls Township Community Park soccer fields. T&M has reviewed the bids submitted to Falls Township and publicly opened July 11, 2012. Bids ranged in price from \$186,070 to \$372,769. Jones Turf Management, Inc. is the lowest responsive bidder, however, based on documents and discussions with them, it is evident that Jones Turf Management will not be able to meet the Falls Township Responsible Contractor's Ordinance. It is recommended that the Board of Supervisors reject this bid in the amount of \$186,070, and issue a notice of intent to award the bid to Landmark Construction Services, Inc. for the base bid and alternate in the amount of \$224,950. Member Galloway asked how Jones Turf Management did not meet the requirements. Mr. Sullivan said there are fourteen or fifteen items and a check list provided in the bid packet that they must answer yes to and they answered no to one of them. Mr. Sullivan said when they had discussions with Jones Turf Management, they found that their company is not able to meet all of the requirements. Member Snipes said it looks like the largest cost to this is importing six inches of screened topsoil. Member Snipes asked if that has been a major issue on the field. Mr. Sullivan said

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the poor soil and turf is the main reason for this project. Member Snipes said in the future they may have to invest some time looking at other areas of the park to see what may need to be done. This park is the heart of the community. Member Dence asked what two fields they would be working on. Mr. Sullivan said they will work on fields 3 and 5. Member Rocco asked about the alternate. Mr. Sullivan said it is sod. Member Rocco asked when construction would begin and end. Mr. Sullivan said they are looking to start in early September and work should be completed in mid October. Mr. Sullivan said the sod will cover the entire field. Chairman Harvie said there are about 500 people from the Falls Township Soccer Club who use this field. There are also other leagues such as rugby players and other adults who use these fields. We also use the fields for community day and events like that. There are a few more fields that will probably need the same treatment in the near future. The budget for the soccer field expansion was \$300,000. We are coming in about \$75,000 lower. Mr. Sullivan said field #3 will be replaced with sod and field #5 will be seeded. Member Snipes moved to open public comment; Member Dence seconded the motion; all board members were in favor. (5-0) Mr. Andy Dell asked what is the square yardage price for the seed versus sod. The price is \$35,700 for sod and the deduct for the seed is \$10,200 for the net price of \$25,500 with Jones Turf Management. The low bidder price is \$33,750 and the deduct for the seed is \$6,450 for a net cost of \$27,300. Mr. Dell said he would rather see both fields seeded. He does not see the need to spend the extra \$25,000 to set up instant turf. He said the sod will also need to be watered all the time. Mr. Dell said hydro-seeding would be more resilient to the weather. Mr. Dell asked how many times per week the contractor would have to come back to water the sod. Mr. Sullivan said he has to come back every two to three days unless it rains. Mr. Dell asked if they will be planting any shade trees in the dog park. Chairman Harvie said they will look to do that in the fall with some of the bare-root trees. Mr. Dell asked how many tons of soil will be needed for this job and where it will come from. Mr. Sullivan said there will be 12,800 square yards of top soil with a six-inch layer. They do not yet know where it will come from. Member Rocco said he also worries about the seams on sod. Mr. Sullivan said they should be giant rolls, eighteen inches wide. Chairman Harvie asked about their thoughts in terms of sodding one of the fields instead of seed. Mr. Sullivan said it is to make one field more usable than the other. Mr. Sullivan said they may be able to use these fields in the spring, whether they seed or sod. Chairman Harvie said if they do not go with the alternate, it would change the low bidder from Landmark to Milestone. Mr. Sullivan said they have not evaluated Milestone's ability to do this work. He believes they usually use sub-contractors to do this type of work. Member Snipes asked about the maintenance period for this project. Mr. Sullivan said the maintenance period is eighteen months from the date that the township certifies the job complete. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Snipes moved to issue the notice of intent to award the total bid cost of \$224,950 to Landmark Construction Services; Member Galloway seconded the motion; all board members were in favor. (5-0) ^{4-1 Member Rocco voted NO.} Member Rocco said he prefers to seed. He worries about the seams and also worries about the longevity of the sod. Member Galloway asked if there is a question about the durability of the sod. Mr. Sullivan said no.

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ITEM # 9 CONSIDER AUTHORIZING NOTICE OF INTENT TO AWARD BID FOR THE FALLS TOWNSHIP 2012 ROAD IMPROVEMENT PROGRAM

Manager Gray said the township received a letter from T&M Associates dated July 12, 2012, regarding the 2012 Road Improvement Program. T&M Associates has reviewed the bids submitted to Falls Township and publicly opened on July 11, 2012. The bids ranged in price from \$5,262,533.22 to \$13,093,663. Based on the bid evaluation, General Asphalt Paving Company, Inc. is the lowest responsible bidder. It is recommended that the Board of Supervisors authorize the Township Engineer's office to issue a notice of intent to award the bid for the total bid cost of both phases in the amount of \$5,262,533.22. The amount of \$5,318,000 was budgeted for this program. Chairman Harvie said the higher bidder did not follow the bid procedure very closely. Mr. Sullivan said they made an error in their math. Member Dence moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Andy Dell said General Asphalt Paving did his street in 1996. It has since been fracturing and falling apart. About five years after it was done, it started spider-webbing. Mr. Dell asked how long they have to stand behind their work. Mr. Sullivan said the maintenance period is two years from the time work is deemed complete. Mr. Dell said if the problems seem to be near the culverts and the drains. Mr. Sullivan said the usual life of asphalt is fifteen years then you have to do mill and overlay. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Galloway moved to issue the notice of intent to award the bid for the 2012 Road Improvement Program to General Asphalt Paving Company, Inc. in the amount of \$5,262,533.22; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 10 MINUTES – JUNE 19, 2012

Member Snipes moved to approve the minutes from June 19, 2012; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 11 ENGINEER'S REPORT

Mr. Sullivan said the 2011 Road Program is now substantially complete. Chairman Harvie said they planted some trees at the Eleanor Roosevelt Elementary School a couple of weeks ago. Mr. Sullivan said the site work is well underway. The school will take almost another year. The retention base is in place and working. There are still some trees to plant around the driveway. Member Galloway moved to approve the June Engineer's Report dated July 12, 2012; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 12 BILL LIST

Member Galloway moved to approve the July 17, 2012 bill list in the amount of \$1,504,947.19; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 13 EXECUTIVE SESSION – There was no Executive Session held.

ITEM # 14 MANAGER COMMENT – No comment.

ITEM # 15 BOARD COMMENT

Chairman Harvie said the Township Supervisors were given a presentation by the architect firm Kimmel Bogrette, the company we contracted with to review this building and look at potential building improvements and renovations. It is a very preliminary report at what the architect has looked at. They presented four different scenarios. The next step is to invite the public into this process and start with a tour of this building. They would like to do that within the next week or so and have some staff here to answer questions. The date for the walk-through will be Thursday, July 26th from 7-9 p.m. They hope for the public to be able to see some of the problems that we have had with this building. For the presentation, it will not be an official meeting of the Board of Supervisors. There will be a presentation followed by a question and answer session. There will be no official action taking place during that meeting. The presentation will take place on Wednesday, August 1st at 6:30 p.m.

Member Rocco – no comment.

Member Dence wished Jack Gray a very Happy Birthday. Member Dence moved to approve Resolution # 2012-18, appointing Mr. Doug Molle as an alternate to the Zoning Hearing Board; Member Rocco seconded the motion; all board members were in favor. (5-0)

Member Galloway – no comment.

Member Snipes thanked everyone for a productive meeting.

Chairman Harvie reminded the public that if the power goes out and you have a medical condition or have medical equipment that requires electrical power, call 911. The public should think about their safety and their health. When it is hot outside, try to do things early in the morning or in the evening when it is a little cooler. It is important to use sunblock as well. Chairman Harvie thanked everyone for a good meeting.

Member Dence moved to adjourn the meeting; Member Snipes seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 8:53 p.m.


Jeffrey Dence, Secretary