

**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</b>	<b>ABSENT</b>
<b>JONATHAN SNIPES, SUPERVISOR</b>	<b>PRESENT</b>
<b>BRIAN M. GALLOWAY, SUPERVISOR</b>	<b>ABSENT</b>

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 Rocco and Member Galloway who were on family vacations. 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 wished a Happy Birthday to his daughter Rosemary who just turned fifty. Mr. Kenney said he remembers when Congressman Fitzpatrick presented the township with the U.S. Flag that is on the wall behind where the board sits. He said every time we come here we say the words "Under God." Mr. Kenney said he does not like the way this country is headed. He said he cannot stand to see the flag destroyed and that this would not happen in other countries. Mr. Kenney spoke of how Christians are suffering. Regarding Bengazi, Mr. Kenney said we will never get the answers out of there. He hopes the person who writes books about that place will take some of the money and give it to the wives of the Navy Seals.

Mr. Edgar Lituma asked for an update on the sidewalk along South Olds Boulevard between Deon Square and St. Francis Cabrini Church. He said there are sidewalks on one side, but not on the other side. Chairman Harvie said they did talk about this to try to figure out who owns the property. They have not budgeted to install sidewalks there but they may be able to address this next year. He thinks he heard Mr. Arnao say that we cut the area so it may actually be our property. This is a good suggestion and they will look at it again. Mr. Lituma said the soccer fields look great and thanked the township for upgrading these fields. He hopes the township can budget to upgrade more fields next year.

Ms. Lois Lambing is the secretary of the Parks and Rec Board. She is here with fellow board members to express their desire for a community center in the township. Ms. Lambing said a community center had previously been included in the long-range plan. She said at present, there is no centralized location for a community center and no location exists

without having to worry about the weather. Ms. Lambing said at numerous events such as the Breakfast with the Bunny and the Children's' Halloween party, a lot of money has been wasted because of cancelation of the events due to inclement weather. This also discourages the volunteers. If Falls Township had a community center, it would offer all members of the community a place to come together and might even generate some revenue with rental space. They would be able to offer many additional programs and not have to worry about weather or space. Ms. Lambing said our township lacks a community center which other successful communities have. They can no longer count on the school district to meet their needs. The Parks and Rec Board would like the Board of Supervisors to consider a community center to meet the needs of the community. Chairman Harvie said with plans for the new building, they looked at ideas for space, what kinds of programs they will have, and what kinds of space in terms of size and what they want to be able to do. Ms. Lambing said sometimes they have a tent and it is much too crowded. They cannot offer as many programs as they would like to, because there is not enough space for all of that indoor activity. Member Dence said they took some things under consideration with planning the new building. Member Dence said he would be happy to attend the next meeting of the Parks and Rec Board and review the plans for the new building. The next meeting for the Parks and Rec Board will be the first Monday after Labor Day, September 9th.

Mr. Guido Mariani wanted to clarify some of his statements from the last meeting concerning the linking of pavements. He thinks his comments were misconstrued. When he said there are no worn paths, he meant the left part of New Falls Road. There are no recreational areas or development in that area that would generate a large amount of pedestrian traffic. The athletic fields are not on new Falls Road. There is an entrance and exit to those fields that is on New Falls Road, but that is for a parking lot used by motor vehicles. Mr. Mariani said Chairman Harvie mentioned Thornridge Shopping Center, but that is frequented by pedestrians. The discussion during the Learning Center revolved around the traffic study and was centered around drop-off and pick-up. The pedestrian traffic for this project was never a topic. What he meant was the number of pedestrians who use New Falls Road. Mr. Mariani said you spoke about going through Vermilion Hills. Mr. Mariani said you can walk from Penn Valley Road through Thornridge to Tyburn Road without going on New Falls Road. Mr. Mariani believes that putting pavements in there will easily exceed the cost of \$1M and urges the board to reconsider this project.

Ms. Brendon Bentrin took a moment to recognize the firefighters who are attending tonight's meeting and said he supports them. He said he also supports the board for holding public office. Mr. Bentrin said he is attending this meeting representing gun owners of Pennsylvania and that he is here to provide some comments in regard to the proposed gun buy-back program. He said public statements were sent to the board. The gun owners of Pennsylvania have a large center base of members, especially in Falls Township. He urges the board not to move forward with this program. He said it is a misuse of public funds and it sounds like you can use those funds for other needs in the township. Mr. Bentrin asked if there were any movement on this program and if the board were moving forward with it. Chairman Harvie said they are in discussions amongst themselves and with the police

department as well as Bensalem. They will probably look at this at a future meeting. Mr. Bentrin referred to a recent White House Directive where the CDC released a report which stated that they actually found that the type of program you are considering is ineffective based on current studies.

**ITEM # 2    CONSIDER APPLICATION FOR TRANSFER OF LIQUOR LICENSE  
TO THE FAIRLESS HILLS VOLUNTEER FIRE DEPARTMENT**

Member Snipes moved to open the hearing for the transfer of liquor license application to the Fairless Hills Volunteer Fire Department; Member Dence seconded the motion; all board members were in favor. (3-0) Mr. Clarke said this is a public hearing for an inter-municipal transfer of a liquor license. The applicant is the Fairless Hills Fire Department. The applicant's facility is located at 417 Hood Boulevard in Fairless Hills. The hearing is being held by the governing body of the receiving municipality for the purpose of receiving comments and recommendations of interested individuals residing within the municipality concerning the applicant's intent to transfer a liquor license into Falls Township. This application was submitted by Clifford Bidlingmaier of Rickles, Kardos, Bidlingmaier & Bidlingmaier and was submitted on June 10, 2013. Additional documentation was submitted on June 20, 2013. Mr. Clarke gave further information in regard to this application. He said they have reviewed the application and found it to be substantially complete. This has been advertised in the Bucks County Courier Times on Tuesday, July 2, 2013 and again on Tuesday, July 9, 2013. The applicant is represented this evening by Mark Rickles, Esq. Mr. Rickles said notices were sent out on or before July 3<sup>rd</sup> by regular mail to surrounding property owners within one-quarter mile of the subject premises. Mr. Rickles introduced Mr. Joe Montonario and Mr. Tony Montonario of the Fairless Hills Fire Department. Mr. Rickles reviewed the liquor license request for the fire company. Member Snipes asked how the liquor license would benefit the fire company. Mr. Tony Montonario, said their operating budget exceeds what is allocated by tax dollars. This would definitely help out with equipment and maintenance of the building. They have a lengthy to do list along with renovations inside of the hall and fundraising definitely helps out. Member Snipes asked if they have events now that you can't do because of not having a liquor license. Mr. Tony Montonario said he can't think of anything they cannot do, but currently the liquor is brought in by the person who rents the hall. Chairman Harvie brought to the attention of the fire department representatives that the owner of the Fairless Hills Shopping Center had concern about overflow parking in his parking lot. Member Dence asked them to give the owner of the shopping center a phone call. He said this is a for their banquet facility, not a type of club. Mr. Clarke said this is not for a bar that is open to the public. It is for their catering business only. Member Dence moved to close the hearing; Member Snipes seconded the motion; all board members were in favor. (3-0) Member Dence moved to approve Resolution # 2013-14 for the inter-municipal transfer of liquor license to the Fairless Hills Volunteer Fire Department; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 3 CROWN CASTLE - CONDITIONAL USE APPLICATION - 275  
LINCOLN HIGHWAY - TMP # 13-3-15**

Manager Gray introduced this agenda item. This is for Crown Castle for co-location of one nine-foot whip antenna onto an existing guide tower. Member Snipes moved to open the conditional use hearing for Crown Castle, 275 Lincoln Highway - TMP # 13-3-15; Member Dence seconded the motion; all board members were in favor. (3-0) Mr. Clarke said this is a conditional use hearing for the applicant, Crown Castle International. The property is located on tax map parcel # 13-3-15, at 275 Lincoln Highway, located in the Township of Falls, Bucks County, PA. This is an application requesting conditional use for co-location of one nine-foot whip antenna to be attached onto the existing guide tower with equipment to be placed within existing shelter at the base of the tower at 275 Lincoln Highway. This conditional use hearing has been properly advertised in the Bucks County Courier Times on Tuesday, July 2nd and Tuesday, July 9th. Mr. Clarke said it has been the policy of this board that when dealing with matters of co-location, we don't need to go through as great of detail as when dealing with an original application. The applicant is represented by Mr. Nicolas Cuce. Mr. Clarke asked Mr. Cuce to introduce his exhibits, provide testimony of any witnesses here this evening, have the witnesses come forward to be sworn in, and ask them if they agree with his testimony. Mr. Cuce said this is a fairly straight-forward co-location on a 494 ft. guide tower. The whip antenna will be placed at the center height of 458 feet. There is no extension of the tower itself or any extension of the compound. Associated equipment will be placed inside an existing equipment compound. The tower can structurally support the antenna once modifications are made. They will submit the PMI inspections to the township engineer. This project will have no impact on traffic on the property itself or surrounding roadways. It will require no continuous lighting and will produce no continuous noise. There is no increase in the height of the tower. This upgrade is in the best interest of the municipality, the community, and the public welfare. Mr. Cuce said they received a recommendation for approval from the Planning Commission. They also received a review letter from the township engineer dated June 9, 2013. All of the issues in the letter are minor and they are all will complies. The exhibits were: A-1: Conditional Use application; A-2: Affidavit of Service of Notice dated 7/15/13; A-3: Curriculum Vitae of Anthony Handley, RF Engineer; A-4: Executed Lease; A-5: Aerial photo of the subject facility; A-6: FCC License/Spectrum leasing agreement; A-7: Propagation plan; A-8: EMF Report prepared by Millennium Engineering, PC; A-9: CV of Sheri Weber, PE; A-10: Site plan prepared by Valore, LLC dated April 4, 2013; A-11: Structural analysis/mod drawings prepared by B&T Group dated April 25, 2013; and A-12: Certificate of Insurance. Mr. Cuce introduced his witnesses who were sworn in. They are: Mr. Anthony Handley, RF Engineer and Ms. Sheri Weber, PE. The witnesses agreed to testimony given by Mr. Cuce. Member Snipes asked if this is just for broadcast video and if they think we will be seeing more and more of these show up everywhere. Mr. Cuce said this is WIFI as well. This technology provides WIFI for your tablets and allows for data services without telecommunications per say. Mr. Brian Binney, Chairman of the Falls Township Planning Commission said this application is for a company called LightSquared and it is his understanding that the FCC has withdrawn their support of LightSquared because of potential interference with GPS. As recently as June 26th, the FCC and

Lightsquared have been speaking to try to modify their frequencies. Mr. Binney asked if the license they presented is valid and how do we know it is valid. He asked if this is built today, would they be able to turn on the switch. Mr. Cuce said there were some issues regarding interference, but he assured the board that this is a valid FCC license. Mr. Handley said the GPS is on frequency 1559-1610 MHz block and the issue came with the frequency block at 1525-1559 MHz obtained by LightSquared which is right about to the GPS frequency block. The frequency block they are proposing is 1670-1675 MHz. It is not the same frequency block as the interference they had before. Mr. Clarke said the information submitted by the applicant is sufficient under our ordinance and under the law to allow the township to grant the conditional use application. The issue to the frequency or other issues would be one that the applicant would address with the FCC and it would be the FCC's jurisdiction. Once a license is issued by the FCC, the applicant has met their requirements to have us grant this application. While Mr. Binney may be correct, the applicant has submitted everything they needed in order to have this application approved. If there are problems with the FCC, the FCC will address this with them. Mr. Handley said in regard to turning on the switch, the answer is yes. Member Snipes asked Mr. Clarke if they would know about this if there were any change with the FCC. Mr. Clarke said we might not know about it. What we are approving is for them to install this antenna. They may run afoul at some point with the FCC. If they have problems with the FCC, we may not necessarily be notified because that is outside of our jurisdiction. That is between the applicant and the FCC. Member Snipes moved to close the conditional use hearing; Member Dence seconded the motion; all board members were in favor. (3-0) Member Snipes moved to grant the conditional use application for Crown Castle, 275 Lincoln Highway, TMP # 13-3-15; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 4    CONSIDER GRANT FROM PENNSYLVANIA HORTICULTURAL SOCIETY FOR THE TREE PLANTING AT THE FALLS TOWNSHIP COMMUNITY PARK**

Manager Gray said the PA Horticultural Society (PHS) recently contacted the township about the potential for a grant which could provide for tree plantings at The Falls Township Community Park. Ms. Emma Melvin, Regional Project Manager from the PA Horticultural Society is here this evening along with members of the Shade Tree Commission. Ms. Melvin said they are interested in submitting a grant application. This project focuses on Bucks County and they are looking to plant along streams and rivers. In Falls Township they would like to plant trees at the Falls Township Community Park and along Martin's Creek. The total grant is around \$300,000. As part of that, there are invasive plants along Martin's Creek that they would like to remove in order to plant the trees. For the first two years, they would have interns watering and maintaining the trees. Ms. Melvin said she would be the project manager and working with the Shade Tree Commission. Member Snipes said he would like to involve the Parks and Rec Board. Ms. Melvin said before they would select the final location of the trees, they would meet with the Parks and Rec Board to find out which locations would be favorable and which locations they should avoid. The map shows potential locations. The plantings could be a combination of trees and/or denser

plantings. Member Dence asked how many trees they are hoping to plant in the park. Ms. Melvin said her range for Falls Township is between 500 and 1,000, but that may not be what can be achieved. Part of that is working with the Parks and Rec Board and the Shade Tree Commission and asking them what would be suitable. Chairman Harvie asked if these are all native species. Ms. Melvin said yes. She is looking for a letter of support from the township. There is no funding request that is associated with this request. Member Snipes asked if they would involve the schools. Ms. Melvin said they educate children about trees, how they are good for the community, and how to plant and maintain them. The children would be involved in some of the plantings and maintenance. Member Snipes moved to open public comment; Member Dence seconded the motion; all board members were in favor. (3-0) Mr. Andy Dell asked if this is similar to the work that G.O.A.L. does. Chairman Harvie said it is a little similar, but G.O.A.L. also does removal of debris and clean up in stream areas. Mr. Dell said sometimes the invasive species grow right back after being removed. He is curious about how to stop the invasive species from taking over the area. Ms. Melvin spoke about the invasive species. There may sometimes be permits required when using certain chemical applications. This has to be done by someone who is certified to do this next to a stream. Ms. Melvin said part of the program she runs is a grant program that does invasive plant removal. For the maintenance of trees, they will hire interns to water them. They will be watered and maintained. The invasive removal will be during that same time. When they are monitoring and maintaining, they will be monitoring and maintaining the area so that the invasive species do not come back. They will be improving the soil. Mr. Dell asked who is responsible for all of the interns while on township property. Ms. Melvin said her group is responsible for their employees and that all of the volunteers are required to sign a waiver that indemnifies the township. She is very aware of the issues that the plantings may be overlooked and mowed down. Part of the planting is to plant larger landscape trees on the edge. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Member Snipes moved to approve the letter of support to move forward with the PA Horticultural Society tree planting program at the Falls Township Community Park; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 5 WASTE GAS - MINOR SUBDIVISION - 450 NEW BOLD ROAD  
TMP # 13-028-088-002**

Member Dence moved to table the Waste Gas minor subdivision to the August 20, 2013 Board of Supervisors meeting; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 6 CONSIDER RESOLUTION FOR MILL CREEK ROAD AND  
LEVITTOWN PARKWAY FOR PENNDOT APPLICATION**

Manager Gray said that Traffic Planning and Design has been working on the traffic signal design for Mill Creek Road and Levittown Parkway. Part of the application requires a resolution to be approved by the Board of Supervisors. Mr. Bob Stone from Traffic Planning and Design is here to further discuss this item. Mr. Stone said a major

modification is planned for the traffic signal installation. This is a complete installation of the traffic signal. Based on discussions with Mr. Arnao, this work includes all new arms, new electrical wiring; it is for the entire installation. The original signal will be removed as part of the project. Member Snipes moved to approve Resolution # 2013-15 for Traffic Planning and Design for the Mill Creek Road and Levittown Parkway-PENNDOT application; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 7    CONSIDER ADOPTING ORDINANCE AMENDMENT TO THE  
TOWNSHIP CODE OF ORDINANCES, CHAPTER 203, SECTION 22 -  
FOR NO PARKING SIGNS ON PHILADELPHIA AVENUE**

Chairman Harvie explained the need for this ordinance change. He said this is an issue we had been looking at for some time. There is one business where people park on the road at Philadelphia Avenue and Tyburn Road. There is no parking in the business so people have to park along the road. This is a concern by the police department. The people who go into this business leave a lot of trash alongside the road. It is not safe and the speed limit is 55 mph along that road. A month ago, they tabled this issue so they could have a meeting with the business owner. They went to the site and during the short time they were there, they almost witnessed two accidents. There is a plan that has been around for quite some time where the business is supposed to provide for on-site parking. We have to air on the side of public safety. Chairman Harvie said once they become aware of a situation that is a safety, they don't have an option; we have to act. The ordinance would be banning parking on both sides of Philadelphia Avenue from 75 feet north of the northern guardrail on the Northbound off-ramp from Tyburn Road heading east on Philadelphia Avenue and ending at PECO pole # 58. We spoke with the property owner about having this law go into effect in September so she will have time to take some action for her business and reconfigure the parking lot. Member Snipes thanked Chairman Harvie, the professionals, as well as the township police department. He said we don't want to hurt a business; we want things to run smoothly and safely. We have had the opportunity to move forward and need to move forward. Member Dence said he has witnessed near-miss accidents numerous times. He doesn't think it will hurt business and the people going there will still go. Member Snipes moved to open public comment; Member Dence seconded the motion; all board members were in favor. (3-0)

Mr. Roland Kenney asked how many accidents have been at this site. He thinks the business owner has eight or nine employees. Mr. Kenney asked where they are supposed to park. Chairman Harvie said according to a previous plan which has been on file here for ten years, there should be parking for 24 vehicles. The property owner has not been operating according to that plan and forces her customers to park on the street. Mr. Clarke said there must be off-street parking with at least twenty-four spots. As we looked at this situation, she is violating our zoning ordinance and subdivision ordinance and she has to have at least twenty-four marked spots or else she will be cited. Chairman Harvie said the property owner was given a copy of that plan about three weeks ago. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (3-0)

Ms. Gallagher said there was some discussion about extending this up to the curve in the road if the board wants to consider that. Chairman Harvie said they don't have any reason not to do that. Ms. Gallagher said they will work with the police to include that in

the ordinance. Member Snipes moved to approve Ordinance # 2013-04, amendment to the Township Code of Ordinances, Chapter 203, Section 22 - for no parking signs on Philadelphia Avenue; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 8 CONSIDER RESOLUTION FOR THE HIRING OF POLICE OFFICER JARROD EISENHAUER**

Member Dence moved to approve Resolution # 2013-16 for the hiring of Police Officer Jarrod Eisenhauer; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 9 CONSIDER PURCHASE OF DATA 911 LAPTOP COMPUTER AND HARDWARE AND SOFTWARE UPGRADES FOR POLICE VEHICLES**

Manager Gray said the police department has requested to purchase a mobile laptop, monitors, and upgrades for use in a police vehicle. This is in the 2013 budget and the laptops are on the Co-Stars list. Lt. Hank Ward provided information on this purchase. There is a two-year warranty that will insure this equipment. Member Dence moved to approve the purchase of the Data 911 laptop computer and hardware and software upgrades for police vehicles in the amount of \$11,485.40 from Data 911; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 10 CONSIDER AUTHORIZING ADVERTISEMENT FOR AMENDMENT TO THE HOUSING STANDARD ORDINANCE - CHAPTER 138 SECTION 2G - AMENDMENTS**

Ms. Gallagher said the township code currently allows the storage of one disabled or unregistered vehicle on a property. What this would do is to continue to allow project vehicles to be stored on a property, but for a limited period of time, and would prohibit any vehicles on lawns or yards or anywhere that is not a driveway or enclosed garage. It does allow exceptions for a licensed auto wrecker or vehicle dealer. Again, it does allow for full reconstruction of a vehicle but only for a limited amount of time. Violating this ordinance would be considered a public nuisance and our code department could cite the property owner accordingly. Member Snipes asked why there is a change in this ordinance. Ms. Gallagher said our Code Department has been receiving complaints. This targets properties that have unlicensed or unregistered vehicles or are allowing storage of vehicles for an undetermined amount of time so they become an eyesore. It would prohibit the storage of vehicles on lawns. This could include boats, recreational vehicles, trailers and campers. Ms. Gallagher said if the vehicle is in a garage, there is no time limitation. Member Dence asked how would you know the car was there, and then moved, and then came back? Ms. Gallagher said if the Code Department observed a vehicle on a given date and then six months later it is still there, then they can act on this. Ms. Gallagher said that would be up to the code department to make the initial determination and then Judge Vislosky whether or



not the citation would hold. If it is licensed and registered and just sitting there, then there is no issue. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Mr. Andy Dell asked about parking on a lawn. He stated that almost everyone who parks on Trenton Road parks on the grass because they do not want their vehicles getting hit. He asked if this would be a violation. Chairman Harvie said yes. Mr. Dell asked if there is an ordinance for people who have trash pouring out of their carports and debris and can they do something about hoarders. Chairman Harvie said if it is a health or safety issue and someone brings it to their attention, then they can take steps and look into it. Mr. Dell asked about the house with the ongoing yard sale on Oxford Valley Road. Chairman Harvie said according to a court order, he is allowed to operate that perpetual yard sale, but he has to keep it so many yards away from the road. Mr. Clarke said as long as the property remains with the same property owner, it can go on forever. Once the property transfers to another person, that is a different story. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Member Dence asked about people who park in the back of their properties. Ms. Gallagher said if it is something that is parked on a grass lawn, it is not permitted. Mr. Clarke said they are trying to combat complaints and eyesores; the worst of the offenders. Member Dence asked if this includes the side of your house as well as back yards and front yards. Mr. Clarke said yes. Member Dence moved to authorize advertisement for amendment to the Housing Standard Ordinance - Chapter 138, Section 2G - Amendments; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 11 CONSIDER AUTHORIZING ADVERTISEMENT FOR AMENDMENT  
REVISING CHAPTER 168 PARKS ORDINANCE - PARKS SECTION  
17 - COMMUNITY PARK REGULATIONS**

Chairman Harvie said this is an amendment change to advertise for changing of one rule and instituting a few others. Ms. Gallagher said the rule they would be rescinding would be dealing with wind surfing or similar devices in the community park. They would be adding a sub-section prohibiting any vending in the township park without a license issued by the township as well as appropriate background checks. Chairman Harvie said the vending would not apply to Que for the Troops or the soccer club. This would crack down on a vendor going in there off the street. Member Snipes asked if the Board of Supervisors would permit someone who wants to take in a lunch truck in there and wondered if that would be permitted. Member Dence said they did advertise, but there was no interest. The Bucks County Department of Health limits what you can and can't sell off a cart. The idea was that it would be nice if you could buy a drink while you are at the park. Member Snipes spoke about various businesses, such as a dog walker, that may operate their business out of the park. Mr. Clarke said we are trying to limit the sale of food in a way so that the township can control. We don't want people going in there who don't have the child abuse clearances and appropriate background check. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Ms. Amanda Kuehnle (LevittownNow.com) asked if Falls Township ever decided to open a snack cart on their own. Chairman Harvie said they have had a variety of ideas, but if the

township is selling food, we would be paying someone to be down there and we have overhead costs. There is also meeting the requirements of the health standards by the Bucks County Department of Health. The soccer club brings in a lot of their own stuff and there is a limit as to what they can sell at the concession stand because of the way it was built. It doesn't have all of the things that the Department of Health says you need to have in terms of hot water and a grease trap. This is a step we are taking to see how this may work. There was talk about doing something with the concession stand. We are trying to do this without incurring all of the employment, health, and insurance costs. Ms. Kuehnle said she believes it would be a good opportunity for high-school and college students during the summer months. Member Snipes moved to close public comment; Member Dence seconded the motion; all board members were in favor. (3-0) Member Snipes moved to authorize advertisement for amendment revising Chapter 168 Parks Ordinance - Parks Section 17 - Community Park Regulations; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 12 CONSIDER AUTHORIZING ADVERTISEMENT FOR AMENDMENT REVISING CHAPTER 206 - WRECKERS ORDINANCE - SECTION 5B (4)**

Chairman Harvie said there was a loophole in the Wreckers Ordinance that was found by some of the wreckers and it will need to be corrected. Ms. Gallagher said one requirement is that the wrecker maintains a storage lot within the township that is at least 10,000 square feet. This would limit the use of a lot to one licensed tower only. Not more than one company can utilize one lot. Member Dence asked Lt. Hank Ward how many towers are sharing a lot. Lt. Ward said he is aware of one that has changed or altered his name to make it look like two companies, but there is only one lot. Member Dence moved to authorize advertisement for amendment revising Chapter 206 - Wreckers Ordinance - Section 5B (4); Member Snipes seconded the motion; all board members were in favor. (3-0)

There was a break in the meeting at 8:57 p.m. and the meeting reconvened at 9:06 p.m.

**ITEM # 13 CONSIDER AUTHORIZING NOTICE OF INTENT TO AWARD BID FOR THE 2013 ROAD IMPROVEMENT PROGRAM**

Manager Gray said the township received a letter dated July 10, 2013 from T&M Associates concerning the 2013 Road Improvement Program. Bids were opened as follows: James D. Morrissey, Inc. – Base Bid in the amount of \$4,979,155.39 (plus Alternate #1 of \$300,948.29 and Alternate #2 of \$159,065.00); Bulldog Construction Co. Inc. – Base Bid in the amount of \$5,220,661.55 (plus Alternate #1 of \$470,505.00 and Alternate #2 of \$169,050.00); General Asphalt Paving Co., Inc. – Base Bid in the amount of \$5,492,098.30 (plus Alternate #1 of \$491,155.00 and Alternate #2 of \$328,000.00); James J. Anderson Const. Co., Inc. – Base Bid in the amount of \$5,937,583.40 (plus Alternate #1 of \$480,206.00 and Alternate #2 of \$225,250.00). Based on the bid evaluation, James D. Morrissey, Inc. is the lowest responsible bidder for both the Base Bid and Alternates #1 and #2 for the road improvement project. As part of an agreement between Falls Township and

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the Pennsylvania American Water Company, Falls Township will be reimbursed in full for the cost of alternate #2, by the Pennsylvania American water Company. Member Snipes moved to authorize the Notice of Intent to award the bid for the 2013 Road Improvement Program to James D. Morrissey in the amount of \$5,439,168.68 for the base bid plus Alternates #1 and #2; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 14 CONSIDER CHANGE ORDER #1 FOR THE SOUTH OLDS BOULEVARD CULVERT**

Mr. Sullivan said this change order in the amount of \$33,793 is to close out the South Olds Boulevard culvert project which is 100% complete. The total cost of this project is \$369,966. Mr. Sullivan reviewed the work involved with the change order, as outlined in his June 4, 2013 memo. Member Dence moved to approve change order #1 in the amount of \$33,798 for the South Olds Boulevard culvert; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 15 CONSIDER AUTHORIZING ADVERTISEMENT FOR A FISHING PIER AT THE FALLS TOWNSHIP COMMUNITY PARK LAKE**

Manager Gray said at the March 5, 2013 Falls Township Board of Supervisors meeting, the board approved the T&M Associates proposal for engineering services for the Falls Township Community Park fishing pier. T&M is prepared to go out to bid for this project. Bid opening will be on August 16, 2013 with a recommendation for a Notice of Intent to award the bid at the August meeting. We will have the thirty-day contractor review period. At the second meeting in September, we will be able to have the manager finalize the award. It is estimated that the fishing pier will take 60 days to build. Member Dence moved to authorize advertisement for a fishing pier at the Falls Township Community Park lake; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 16 CONSIDER AUTHORIZING ADVERTISEMENT FOR THREE ARCHES HISTORIC BUILDING RENOVATIONS**

Manager Gray said on April 16, 2013, the board approved a T&M Associates proposal for engineering services for renovations at the Three Arches. The top five priority items for renovation include: roof replacement and any structural repair needed above the framing, exterior woodwork, exterior window frame repair, basement door reconstruction, and explore watershed conditions around the foundation to see if copper gutters and leaders would be beneficial. It is possible that gutters may be recommended. At this time, T&M Associates is prepared to advertise for this project. Member Snipes moved to authorize advertisement for the Three Arches historic building renovation; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 17 CONSIDER RESOLUTION TO AMEND THE FALLS TOWNSHIP  
FEE SCHEDULE**

Ms. Gallagher said this revision to the township fee schedule would apply to three different charges that the township charges for permit fees. For roof permits, a flat fee of \$75 will be charged. For sidewalk permits, a flat fee of \$50 will be charged. For building permits relating to construction of decks a fee of .50 cents per square foot will be charged. The other recommendation they are making is to waiving the \$50 zoning fee if the sidewalk footprint does not change. This is strictly residential. Member Snipes moved to open public comment; Member Dence seconded the motion; all board members were in favor. (3-0) Mr. Andy Dell said these prices seem fair. Mr. Dell asked if you have to get a permit for a paver patio. Mr. Sullivan said a paver patio requires a permit in the township. Mr. Dell asked about the bridge on South Olds. He said it looked really nice when it was done and they had all of the land cleared out. Mr. Dell asked if there is any way to maintain fifty to one hundred feet of that area. Chairman Harvie said probably not. They tried to do that in Vermilion Hills near St. Joseph The Worker Church and we got into a lot of trouble with the Bucks County Conservation District who told them that they were endangering the stream and erosion. We had to do a lot of remediation control. Mr. Sullivan said without a permit we can maintain up to fifty feet of an outfall and leave the grass growing but we cannot cut into the area. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Member Dence moved to approve Resolution # 2013-17 to amend the Falls Township fee schedule; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 18 MINUTES - JUNE 18, 2013**

Since Member Dence did not attend the June 18, 2013 meeting, the minutes will be addressed at the next meeting.

**ITEM # 19 ENGINEERS REPORT**

Mr. Sullivan said the community park soccer field project is 100% complete. The Penns Grant tennis court project is complete and the courts are well used. Regarding the senior center, the paving of the parking lot will be completed this week along with striping and signage. Landscaping will be done in the fall. A temporary certificate of occupancy should be able to be issued within the next week or so. Mr. Sullivan gave an update on the 2012 Road Program. All storm sewers are complete except for Winding Way West which should be done in the next week or so. Member Dence moved to approve the June 2013 Engineers Report dated July 12, 2013; Member Snipes seconded the motion; all board members were in favor. (3-0)

**ITEM # 20 BILL LIST**

Member Snipes moved to approve the bill list in the amount of \$2,557,588.58; Member Dence seconded the motion; all board members were in favor. (3-0)

## Board of Supervisors – July 16, 2013

The board went into Executive Session at 9:35 p.m. and the meeting reconvened at 10:03 p.m.

### ITEM # 21 EXECUTIVE SESSION

Mr. Clarke said that while in Executive Session the board discussed a matter of litigation, a matter of potential litigation, and several personnel items.

### ITEM # 22 MANAGER COMMENT

- A. Manager Gray said there are escrow releases as follows: John Feher in the amount of \$17,546.19; Sprint at 65 M-Y Lane in the amount of \$628; Sprint at 207 Austin Drive in the amount of \$857; Aria in the amount of \$2,991.24; and 25 East Post Road in the amount of \$4,399.18. Member Dence moved to approve the escrow releases as per the July 12, 2013 memo from Manager Gray; Member Snipes seconded the motion; all board members were in favor. (3-0)
- B. Starting July 15th, memberships to the Pinewood Pool start at half price. Registering can be done on-line.
- C. There are Teen Splash Dances being held on Thursday, July 18th and Thursday, August 15th. The time is 7:45-10 p.m. and is for ages 11-16. Cost is \$3 per person.
- D. Family Movie Nights will be held on Saturday, July 20<sup>th</sup>, Saturday, July 27<sup>th</sup>, and Saturday, August 10<sup>th</sup> starting at 8:30 p.m.
- E. The Senior Breakfast has been rescheduled to Saturday, August 17th from 9-11:30 a.m. This event is free to all seniors age 55 and older, pool members, and Falls Township residents.
- F. The Pinewood Pool continues to offer swimming lessons and Aqua Zumba. For more information on these events, please call the Parks and Rec office at 215-949-9000, x221 or x222.
- G. Manager Gray said Heucotec mylars are ready for signature.

### ITEM # 23 BOARD COMMENT

Member Dence - no comment.

Member Snipes thanked everyone for an excellent meeting. Member Snipes said during public comment there was someone who spoke about gays, Muslims, and Christians. Member Snipes said that while the Board of Supervisors is not sanctioning these comments, people have a right to comment and speak. Member Snipes said we live in a country that gives us equal rights and equal protection and he thinks that is what this board stands for. Member Snipes said that personally, discriminatory comments about other people's lifestyle or religion are inappropriate for these meetings. That is his opinion and he can voice his opinion that we treat each other kindly and fairly.

**Board of Supervisors – July 16, 2013**

Chairman Harvie said that we are in the middle of a heat wave. We have to look out for each other and be smart about working outside. Keep yourself hydrated, look out for your neighbors, and keep yourself as cool as you can. Chairman Harvie said we had a tragedy last night involving an individual on a motorcycle. Chairman Harvie urges people to drive safe. Chairman Harvie wished everyone a Happy Belated 4th of July. Chairman Harvie thanked the board members for attending tonight's meeting as well as the professionals and Manager Gray.

Member Dence moved to adjourn the meeting; Member Snipes seconded the motion; all board members were in favor. (3-0) The meeting was adjourned at 10:07 p.m.



Jeffrey Rocco, Secretary