

**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. Also present were Township Manager Director Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

PROCLAMATION AWARD FOR MRS. GERTRUDE DELANO FOR 50 YEARS OF VOLUNTEER SERVICE WITH THE LEVITTOWN FIRE COMPANY NO. 1

Chairman Harvie spoke about the volunteers who work for our fire companies and rescue squads. He said tonight the Board of Supervisors will present two proclamations. One is for Mrs. Gertrude Delano to honor her 50 years of volunteer service with the Auxiliary of Levittown Fire Co. No. 1. Mrs. Delano is one of the original members of the auxiliary. Chairman Harvie read the proclamation. Member Snipes said it was good to get to see Mrs. Delano at the firehouse installation banquet. She is a fun presence and has been and continues to be a hard worker. Member Dence moved to approve the proclamation for Mrs. Gertrude Delano; Member Galloway seconded the motion; all board members were in favor. (5-0)

PROCLAMATION FOR LEVITTOWN FIRE COMPANY NO. 1 CELEBRATING ITS 50TH ANNIVERSARY OF DEDICATION AND SERVICE TO THE COMMUNITY OF FALLS TOWNSHIP

Chairman Harvie read the proclamation for the 50th Anniversary of the Auxiliary of the Levittown Fire Co. No. 1. Member Dence moved to approve the proclamation for the Auxiliary of the Levittown Fire Co. No. 1; Member Snipes seconded the motion; all board members were in favor. (5-0)

There was a short recess at 7:06 p.m. The meeting was called back to order at 7:09 p.m.

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

Mr. Roland Kenney said Bengazi is not dead. There are witnesses but we will probably never hear what they have to say. Mr. Kenney said he doesn't know how we can't come up with \$150,000 to put our school children through our White House, which belongs to the

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people, but yet we can come up with \$250M to give to Egypt who spits on our flag and makes a mockery of the United States. Now we have another guy who is running his big mouth. Someone needs to end it. Mr. Kenney said he supports our flag.

Mr. Andy Dell spoke about the fishing dock. He wondered if something could be built using soil and stone. He said there won't be much that would have to be done except to cut the grass. Chairman Harvie said one of the issues they looked at with the dock is that boaters could also use it. Right now there is no place for boaters to tie up their boats. We are also looking at handicap accessibility. Mr. Sullivan said it would have to be fairly large so it would not wash away over time. Mr. Sullivan said construction costs might be less expensive, but long-term maintenance might cost more than the fishing pier.

Mr. Gallus Obert said he does not know why you can't do what Mr. Dell suggested instead of building such an expensive fishing pier. Since there is no tidal water, it won't go anywhere. Mr. Obert said when he was young, they had something called the Civilian Conservation Corps. He said we could have a lottery to choose whoever is interested in being on such a committee and it wouldn't cost nearly as much as what we are paying now. Mr. Obert said we have a lot of property. Manager Gray said the township does have open space. Mr. Obert spoke about a wooded area that was getting overgrown years ago, and it ended up getting cleaned out after people got involved. Regarding the minutes, Mr. Obert said they give good information. Mr. Obert would like to have whatever bills are paid during the month to be included in the handout. Mr. Obert mentioned again about the fishing pier being a waste of money.

Mr. Guido Mariani said at the last meeting there was a conversation about expanding township investments. In regard to this, Mr. Mariani asked about writing a letter and wanted to know whom to send a letter to. Mr. Mariani explained what he thinks should be done. Member Dence said there was information in their last township magazine with regard to legislation for this and that hopefully they will be able to do something soon. Mr. Mariani spoke about evaluating investment options and making the most effective use of the funds we have in order to try to earn the best returns possible without sacrificing the safety of those funds. Mr. Mariani said investments should achieve this kind of goal. He said investments must satisfy the overriding principles and you have to have safety, liquidity, and yield. He thinks we can do that without expanding our investment alternatives. Mr. Mariani read a portion of Section 708. He further explained his thoughts with regard to this matter. Mr. Mariani said if you think that our present returns are painful, they are not nearly as painful as the loss of principal. What he doesn't want to see is a board of supervisors who invest funds for their own personal agendas or particular projects and said that comment is not meant for the Falls Township Board of Supervisors. Mr. Mariani said right now there are 200 municipalities that are facing bankruptcy. In almost every case, it was due to the undisciplined management of township funds. Mr. Mariani said he doesn't want to see us get into any investments that are not insured and do not protect our principal.

Mr. Edgar Lituma said there are no sidewalks between the Deon Square Shopping Center and the bridge. He asked if someone could take a look at that area. Chairman Harvie said they would have to take a look at the township line issue as they don't know if it is PENNDOT's property or Falls Township's property. Mr. Lituma asked about having hot

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water at the concession stand at the Falls Township Community Park. Manager Gray said they are looking into getting quotes for a hot water heater.

Mr. Bill Reese made an announcement about the Annual Pasta Dinner to be held on Sunday, April 14th from 4-7 p.m. at the Falls Township Senior Center. This event is run by the Falls Township Teen Advisory Panel. This year, all proceeds will go toward Athletes Helping Athletes. Mr. Reese said the mission of Athletes Helping Athletes, Inc. is to connect local special needs athletes with mainstream student-athletes in a spirit of friendship for their mutual benefit and inspiration. Athletes Helping Athletes believes that a world of greater acceptance for all can begin with our children, sharing athletic experiences and a love for sport while developing compassion and mutual respect. The price for the pasta dinner is \$8 for adults, \$4 for ages 5-17, and \$4 for ages 55 and up. Advance tickets are appreciated. Anyone who is interested in attending may contact the Parks and Rec office between 8:30 a.m. and 4 p.m. Mr. Reese said the Pinewood Pool registration is now available. You can register on-line from home or you can come into the township building to the Parks and Rec office. Pictures have to be taken at the Parks and Rec office. Member Dence said people cannot easily get up here. Chairman Harvie said they will try to do this the best they can and possibly have pictures taken at the pool.

Mr. George Price lives at Snipes Farm. He said about 80 yards away from his home is the mulch pile, located on Rt. 1. Mr. Prices said he doesn't understand how a toxic industrial operation like this can operate so close to residences. Mr. Price said the DEP won't let them use the catchment pond because it is filled with bacteria. This operation is a nuisance to him. He would really like to see this operation shut down. Chairman Harvie said he understands the concern and said there was another fire there this morning. Our Code Enforcement personnel and our Fire Marshal's office are looking further into this matter. If it is zoned for that area there is little they can do, but if it is a safety issue, they can look into this. Mr. Price said it is not healthy to breathe in the bacteria. He said there is a tremendous amount of dust that comes out of there and it makes his home smell like pig manure. The grinding machine is incredibly loud. Chairman Harvie said they will take a look into some of these issues and see what they are allowed to do, based on what the code allows them to do.

Mrs. Melanie Dody-Snipes presented some information about Snipes Farm and Education Center. For nine years, they have been re-inventing themselves at Snipes Farm and for the last six years they have had a non-profit organization. They have community-supported agriculture and their food is reaching 800 people through the year through the Bucks County Homeless Shelter and the Bucks County Housing Group. They educate people about how food is grown. They have been working with 400 children in seven schools to do nutrition education and cooking. They want everyone to be a part of it. Their mission is to model and teach sustainable farming, re-connect people to the land, and build community. Mrs. Snipes said some upcoming events include the 2nd Annual Farm Blessing to be held on April 21st. This is a free event starting at 4 p.m. and will include a bonfire. For more information, please call 215-295-1139, X102 or go to www.snipesfarm.org. On April 27th there will be Earth Day volunteering and they will plant potatoes. They will have trail projects and the children's garden has some projects going on. This will be held from 9 a.m. – 12 noon followed by a pot luck lunch. Mrs. Snipes said their summer camp gives children the chance to be a kid again. It really transforms lives and they look forward to having the kids attend Snipes Farm Day Camp. It lasts for seven weeks and is for children ages 6-11. There are activities for the younger kids, activities for the older kids, and combined activities for all ages. Snipes Farm also offers a Mommies and Me class called Little Sprouts.

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Mr. Andy Dell said the mulch area is owned by Garrett Equipment. Mr. Dell said he has had his business for 21 years and although the owner has changed, the mulch area has been there longer than that. Mr. Dell said this is not a hazardous industrial site. It is mulch. When you are composting, you have to water it enough or it will spontaneously combust. It is not an easy fire for the fire department to extinguish. A lot of the waste that would normally go to the landfill is going into this facility in order to make a viable product. Mr. Dell said what they are doing is not a dangerous procedure. It is a mulch pile and it has been there for a very long time.

ITEM # 2 CONSIDER PURCHASE OF A SAFETY ATTENUATOR FOR THE PUBLIC WORKS DEPARTMENT

Manager Gray provided information with regard to the attenuator purchase. Member Snipes moved to approve the purchase of the safety attenuator in the amount of \$20,993.34 from TraFFix Devices, Inc.; Member Galloway seconded the motion; all board members were in favor. (5-0) This purchase is off of the Costars list.

ITEM # 3 CONSIDER LANDSCAPING BIDS FOR TOWNSHIP FACILITIES FOR 2013

Manager Gray introduced this item. Sealed bids for landscaping services were as follows: CNS Cleaning Services in the amount of \$18,000 and Greenscape Landscape Contractor in the amount of \$31,842.50. Member Rocco asked if they had to go with the lowest bidder. Mr. Clarke said yes. Member Rocco asked what problems they had last year. Member Snipes asked if they did an adequate job last year. Manager Gray said after the initial issue with flowers and mulch, everything was straightened out and Mr. Arnao was satisfied with their work. Member Rocco asked if they bid on the triple-ground, black-dyed mulch. Manager Gray said yes. Chairman Harvie asked what sites this company would take care of. Manager Gray said there are a total of nine sites which include the township building, the Fallsington Park, the Falls Township Community Park, the Austin Drive Sports Complex, Mill Creek Sports Complex, the Public Works area in the back of the township building, and the entrances to Fallsington Woods, Penns Grant, and Makefield Road. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Mr. Andy Dell said CNS Cleaning Services is doing this cheaper than cost. He doesn't understand how this is even feasible. They are taking on more work and their prices are lower than last year. The work was adequate. It wasn't great. Mr. Dell asked how the work can be done for this price. He asks if they are paying their workers below minimum wage, if they are paying them in cash, and if they are not paying workers' compensation costs. Mr. Dell said something is not right. He doesn't know where else to look for the money difference that these guys are coming up with and said this quote is very questionable. Chairman Harvie said the properties that are being added are very small. They are traffic islands near Penns Grant and Fallsington Woods. It is stone and they have to spray weed control. Chairman Harvie said by law they are limited. They cannot say no. Absent from any kind of gross failure on their part, they would have to have evidence to not award the bid to them. Member Dence said this company does a lot of property maintenance and all of the references checked out. Member Dence moved to close public comment; Member Rocco seconded the motion; all board members were in favor. (5-0) Member Snipes said the numbers are vastly different between the weed control, tree

trimming, and shrub trimming. He said they will really have to watch those areas. Member Galloway moved to award the bid for landscaping for township facilities to CNS Cleaning Services in the amount of \$18,000; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER FERTILIZER QUOTES FOR TOWNSHIP FACILITIES FOR 2013

Manager Gray said the township received three quotes for fertilizer services as follows: TruGreen in the amount of \$13,360.30, KJB Landscaping in the amount of \$26,800, and Excell Maintenance Service in the amount of \$15,900. The locations where these services would be utilized are the township building, Von Hoffman Park, Fallsington Park, Austin Drive Sports Complex, Three Arches, Mill Creek Sports Complex, Falls Township Community Park, and Pinewood Pool. Member Rocco requested that for next year they also obtain quotes for organic as well. Member Dence moved to award the bid for fertilizer services at township facilities to TruGreen in the amount of \$13,360.30; Member Galloway seconded the motion; all board members were in favor. (4-0) (Member Snipes not present for the vote.)

ITEM # 5 CONSIDER QUOTES FOR BUSES FOR THE FALLS TOWNSHIP 2013 SUMMER RECREATION PROGRAM

Manager Gray introduced this item. He said of the five companies that were contacted, First Student is recommended for this year's summer camp bus trips. Mr. Reese said that since this year's camp is located at the Walt Disney Elementary School, they will just walk over to the Pinewood Pool. Member Dence said he is surprised the school district was not willing to give them a quote. Member Galloway said he was also disappointed in this. Member Galloway said they have used First Student for the St. Patrick's Day Parade and they did a fine job. They were satisfied with this company. Mr. Reese said they had always had a good experience with First Student. Member Galloway moved to award the bus service for the summer recreation program to First Student as outlined in the March 27, 2013 memo from Mr. Reese to Manager Gray; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER AUTHORIZATION TO ADVERTISE FOR THE SIGN ORDINANCE CHAPTER 209-45

Chairman Harvie introduced this item and gave an explanation of what they intend to do. This item is for approval to advertise. Ms. Gallagher said the most significant changes to the sign ordinance are in the definitions section which is greatly expanded to cover different types of signs. It also lists those signs that do not require a permit. They added a section on the electronic display signs and an ordinance will permit them by conditional use in certain non-residential areas such as shopping center areas. There are restrictions listed in the code itself as to whether the signs can be blinking, etc. It also lists hours of operation for the signs. It gives the board a little bit of control over these types of signs. Member Dence said we are allowing electronic signs, but we will limit how late they can be lit and how often the

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messages can change. Ms. Gallagher said there is only one message at any given time. Member Galloway moved to authorize advertisement for the sign ordinance, Chapter 209-45; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 7 MINUTES – MARCH 5, 2013

Member Snipes moved to approve the minutes from March 5, 2013; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 8 EXECUTIVE SESSION

The board went in to Executive Session at 8:09 p.m. and the meeting reconvened at 8:53 p.m. Mr. Clarke said that while in Executive Session, the board spoke about various matters of litigation including the Olexion Rubbish matter, a zoning appeal involving a property owned by an individual named Palmer, and a lawsuit that had been filed by the township against a law firm in Philadelphia. They also spoke about several matters of potential litigation and a labor matter.

ITEM # 9 MANAGER COMMENT

- A. Member Dence spoke about the details of an agreement with KYW News for promotional advertising for the Que for the Troops event. Member Rocco moved to enter into an agreement to use KYW news radio for advertising the Que for the Troops event in the amount of \$2,000; Member Galloway seconded the motion; all board members were in favor. (5-0)
- B. Member Snipes moved to approve the cash escrow release to Air Products in the amount of \$49,807.31; Member Galloway seconded the motion; all board members were in favor. (5-0)
- C. Member Galloway moved to approve escrow release #1 to Clean Energy in the amount of \$82,041.03; Member Snipes seconded the motion; all board members were in favor. (5-0)
- D. Manager Gray said The Learning Experience mylars are ready for signature.

ITEM # 10 BOARD COMMENT

Chairman Harvie acknowledged the 50th Anniversary of the Auxiliary of the Levittown Fire Co. No. 1. Chairman Harvie announced that Walt Disney Day will be held at Walt Disney Elementary School on Sunday. This is a fundraiser for the school. Chairman Harvie said in talking with Manager Gray and Ms. Gallagher, there were no bids received in regard to the food vendors for the township park. Some thought was that it was not advertised enough. They will look into putting it on PennBid and also in the Philadelphia Inquirer. Member Dence moved to re-advertise for the food vendors for the Falls Township Community Park; Member Galloway seconded the motion; all board members were in favor. (5-0) Chairman Harvie said the township is looking to hire special counsel for labor matters and board members were given information on various law firms. Chairman Harvie moved to appoint the firm of Obermeyer, Rebmann, Maxwell, Hipple as Special Counsel at the rates included

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in their updated fee schedule; Member Dence seconded the motion; all board members were in favor. (5-0)

Member Snipes announced that Levittown Fire Co. No. 1 will have their 7th Annual Basket Raffle on Saturday, April 27th from 5-9 p.m. They will also have a Murder Mystery Dinner on Saturday, April 13th from 6:30-10 p.m. For information on these events, please call 215-945-4231, 215-791-1309, or 215-450-8912.

Member Dence said in regard to the Pinewood Pool, they will do everything they can to get people registered and their pictures taken. Member Dence said Doug Miller from security at the park, has been updating the Facebook page for the Parks and Rec Department.

Member Galloway – no comment.

Member Rocco said the Quaker Penn Park baseball field opened on Monday. That was a pretty big milestone. Member Rocco thanked Mr. Sullivan.

Chairman Harvie thanked everyone for their work this evening. 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 9:04 p.m.



Jeffrey Rocco, Secretary

