

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JEFFRY DENCE, VICE-CHAIRMAN	PRESENT
JEFFREY ROCCO, SECRETARY-TREASURER	PRESENT
BRIAN GALLOWAY, SUPERVISOR	ABSENT
JEFF BORASKI, SUPERVISOR	PRESENT

The meeting commenced at 7:05 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Galloway who had a family commitment this evening. 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**

Chairman Harvie welcomed Christopher Pullen from Troop 53, working on his communications badge. Member Rocco welcomed Joe Tufo who is also here for his merit badge. Chairman Harvie said agenda items 3, 4, 5, and 6 will be tabled. This has to be done because of an error by the Bucks County Community Times. These items have to do with the re-development of the old Acme site. The newspaper advertised this in the Burlington Times instead of the Bucks County Courier Times. Chairman Harvie said it is his understanding that these agenda items will be moved to the May meeting. The May meeting falls on Election Day so our meeting date will most likely be moved to Monday, May 15th.

Mr. Tom Smith asked if the Falls Township board meeting videos were in the public domain or if they were copyrighted. Chairman Harvie said yes, they are public record. Mr. Smith said he deals with YouTube publishing and these past few meetings have been published on a YouTube standard license and that implies copyright protection. The way to do that is to change it to a creative commons tag on the videos so that everyone knows they are public domain. Mr. Smith said Elcon is applying to be set up here in Falls Township. They repeatedly state that their process is thermal oxidation. Their process is not solid or liquid waste incineration. Their process includes thermal oxidation units for pollution control. Mr. Smith said when he googled thermal oxidation, he came up with the EPA website which lists thermal incinerators on the EPA air pollution control technology fact sheet and it states that this type of incinerator is also referred to as a direct flame incinerator thermal oxidation or after burn. Mr. Smith provided the board with copies of the documents he referred to.

Ms. Holly Harman (S. Pennsylvania Avenue) said she lives very close to the proposed Elcon development and it is a concern. She also has concerns about the truck traffic. It appears they cannot control the truck traffic going to the landfill let alone the proposed Elcon traffic. Ms. Harman said they have, on average, 100-150 trucks per hour from 7:30 a.m. to 6:30

p.m. on that road and it is at capacity. Any additional traffic becomes problematic. It seems that a lot of the nuisance businesses that are proposed in Falls Township land right on our borders. Ms. Harman is concerned about the automotive recycling facility that is being proposed on Bridge Street, just across our border. Now they will be sinking tanks and it looks bad as you come into Morrisville. Ms. Harman asked about the riverside zoning designation. Chairman Harvie said the riverfront district is a zoning overlay created back in 2005. This zoning overlay means that the Board of Supervisors changed the zoning for that area in an attempt to attract riverfront-type businesses such as housing, commercial property, restaurants, and shops. It changes the zoning so that once that property went vacant for a year, it would revert to the riverfront district. Most of the properties are light industrial and have stayed that way. In essence, they can continue there, unless a developer wanted to come in and make them a financial offer that they couldn't refuse. Ms. Harman said she had a discussion with someone about talk of luxury homes and a casino and that also falls into her concerns about traffic.

Ms. Carol Farley said she has been a resident of Falls Township since 1960. The thought of Elcon has her concerned about the health, safety, and welfare of our residents and the residents of our neighboring townships. Ms. Farley said we cannot risk contamination of our water source. Our air quality is very poor and let's not let it get worse. There are times she finds a thin film of ash in her bird bath. We have a beautiful park, but in the summer, there are times when she hears do not go outside because the air is not healthy. The population around here is extremely dense and it is still growing. When the bridge connecting the Pennsylvania and New Jersey turnpikes was closed, it was horrendous. In order to get to the Elcon site, most of these vehicles are from the north and they have to come through Falls Township. Ms. Farley wonders what will happen when there is bad weather. There are overturned tractor trailers, truck fires, and she thinks this has to do with the increased speeds. We have to worry about trucks coming from eleven different states. Are they checked out and are the drivers schooled to handle emergencies. We have no control over human error. If we had 15" of rain in 2 days, what could happen? Elcon will not accept responsibility for mishaps that do not happen on their own property.

Mr. Edgar Lituma said the number of kids who play soccer in Falls Township has increased more than other area clubs. Mr. Lituma is a referee for the soccer club. He said it will be four years ago that we did the fields. They are worse than before. Two years after they did the fields, it was very hot and very dry. You have to keep watering the sod. He doesn't think the company that worked on the fields did a very good job. There are nicer fields in surrounding communities. All we do here is to cut the grass. Chairman Harvie said we contract every year to fertilize. Mr. Lituma said the field at Quaker Penn Park is nice. Mr. Lituma said there are other clubs that come in and use our field, but he does not know if they pay to use our fields. The Public Works Department aerates and seeds the fields. Chairman Harvie said we typically try to reserve the fields for groups in Falls Township and for Falls Township residents. We have had clubs play tournaments there, but he doesn't know what percentage of these people are from Falls Township. Mr. Lituma said he hopes you can do a better job with the fields.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 26 YARDLEY AVENUE
TMP # 13-020-322 – REPLACE ATTIC WINDOWS, MUD ROOM
PORCH WINDOWS AND BASEMENT WINDOW**

Member Rocco asked if there was only one approval sheet. Chairman Harvie said there were multiple sheets for this approval. They sometimes come in on different days. Member Dence moved to approve the Certificate of Appropriateness for 26 Yardley Avenue to replace attic windows, mud room porch windows, and basement window; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 3 MORRISVILLE COMMONS, LP – AMENDED PRELIMINARY AND
FINAL LAND DEVELOPMENT – WEST TRENTON AVENUE AND
PINE GROVE ROAD – TMP # 13-028-028**

Member Dence moved to table items 3, 4, 5, and 6 until a date certain of May 15, 2017; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 4 MORRISVILLE COMMONS, LP – CONDITIONAL USE – WEST
TRENTON AVENUE AND PINE GROVE ROAD – TMP # 13-028-028**

**ITEM # 5 CONSIDER PRIVATE SANITARY SEWER MAINTENANCE
AGREEMENT BETWEEN FALLS TOWNSHIP AND MORRISVILLE
COMMONS, LP**

**ITEM # 6 CONSIDER RESOLUTION FOR MORRISVILLE COMMONS, LP
FOR THE SEWAGE FACILITIES PLANNING MODULE**

**ITEM # 7 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE
VERMILLION HILLS DRAINAGE IMPROVEMENT PROJECT**

Mr. Sullivan said on April 11, 2017, there was a bid opening for the Vermillion Hills drainage improvement project. One bid was received from Premium Excavating, LLC in the base bid amount of \$72,485. Member Rocco asked how much this was budgeted for. Manager Gray said it is budgeted in the 2017 budget for \$62,000. Member Rocco moved to authorize the Township Engineer's office to issue a notice of intent to award the bid for the Vermillion Hills drainage improvement project bid to Premium Excavating, LLC in the amount of \$72,485; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 8 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE
VERMILLION HILLS FOOTBRIDGE INSTALLATION PROJECT**

Mr. Sullivan said on April 11, 2017, there was a bid opening for the Vermillion Hills footbridge installation project. The bids received were: CriLon Corporation in the amount of \$79,223.43; and D'Angelo Brothers, Inc. in the amount of \$134,800. There was an issue with the bid bond for CriLon, but it was determined by Mr. Clarke's office to not be a fatal

defect. Mr. Clarke said it was a minor technical defect and the board can waive it. Member Rocco moved to approve the Township Engineer's office to issue a notice of intent to award the bid for the Vermillion Hills footbridge installation project to CriLon Corporation in the amount of \$79,223.43; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 9 CONSIDER AWARD FOR PURCHASE AND DELIVERY FOR THE VERMILLION HILLS FOOTBRIDGE PROJECT

Mr. Sullivan said on April 11, 2017, there was a bid opening for the Vermillion Hills footbridge project. One bid was received from Contech Engineered Solutions in the amount of \$51,300. Member Rocco moved to award the bid for the Vermillion Hills footbridge project to Contech Engineered Solutions in the amount of \$51,300; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 10 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE 2017 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM

Manager Gray said two bids were opened on March 29, 2017 for the 2017 Falls Township Road Improvement Program. Bids were received from James D. Morrissey, Inc. in the amount of \$1,288,854.50; and General Asphalt Paving Company in the amount of \$1,312,813.44. The roads in the 2017 Road Program are Walton Drive, Mill Creek Parkway, Makefield Road Village, Rice Drive, Laura Way, Lesha Drive, Andrew Drive, and Makefield Turn. Member Rocco moved to approve the Township Engineer's office to issue the notice of intent to award bid for the 2017 Falls Township Road Improvement Program to James D. Morrissey, Inc. in the amount of \$1,228,854.50 for the base bid; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 11 CONSIDER REAUTHORIZATION FOR ADVERTISEMENT FOR THE 2017 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM – WALTON DRIVE LANDSCAPE RESTORATION

Manager Gray said on March 29, 2017, bids were due for the landscape restoration for the 2017 Falls Township Road Improvement Program. No bids were received. The board is asked to consider re-authorizing for advertisement in the newspaper. Member Dence suggested reaching out to some landscape contractors this time. If the township goes out to bid twice with no responses, then we can go with a contractor of our choosing. Member Rocco moved to approve re-authorization for advertisement for the 2017 Falls Township Road Improvement program, landscape restoration; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 12 CONSIDER REAUTHORIZATION FOR ADVERTISEMENT FOR THE FALLS TOWNSHIP COMMUNITY PARK FISHING PIER

Fishing pier bids were due on April 11th. No bids were received for this project. The board is asked to consider authorizing re-advertisement at this time. Member Dence moved to

open public comment; Member Rocco seconded the motion; all board members were in favor. (4-0) Mr. Guido Mariani asked about the total estimated cost of the fishing pier. Manager Gray said they have budgeted \$200,000 for this project. Mr. Mariani asked how many Falls Township residents are estimated to use this pier. Member Dence said at one point we had a petition from someone who was in favor of this and they had a pretty long list. Mr. Mariani asks why we would spend \$200,000 without some kind of documented estimate of need or possible use. Member Dence said you can go down there any day of the week and see the boats that people take in and out now. There is no way to tie up your boat. People use the lake for fishing all the time. The other need is a couple of residents have been requesting handicap accessibility for fishing and it is not feasible to use the Quaker Penn Park boat ramp because of the boats. Mr. Mariani said he thinks this project is disproportionate to the needs and the use that this project will receive. There are already numerous surrounding areas for people to go to fish. We are presently committed to \$18M for a township complex and we have taken \$15M out of our restricted savings. We haven't made a contribution to the long-term savings in years. This is the kind of project that becomes a permanent part of your budget and the expense becomes part of your future budgets because you have to maintain it. He would recommend that you take the time you need to reconsider this. Chairman Harvie said this is being paid for through open space money. Member Dence moved to close public comment; Member Rocco seconded the motion; all board members were in favor. (4-0) Member Dence moved to approve re-authorization for advertisement for the Falls Township Community Park fishing pier; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 13 CONSIDER THE 2017 SIGN AND POST BIDS FOR FALLS TOWNSHIP

Manager Gray said the Bucks County Consortium Sign and Post bid was opened by Northampton Township and the results were forwarded to Falls Township. It is recommended that the board award the Consortium bid for Sign and Post to Garden State Highway Products, Inc. Garden State was found to be the lowest overall bidder on products used by Falls Township. Mr. Jason Lawson provided further information on this bid. Member Rocco moved to accept the Consortium bid for Sign and Post for Falls Township; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 14 CONSIDER THE 2017-2018 STONE AND ASPHALT BIDS FOR FALLS TOWNSHIP

Manager Gray said the Bucks County Consortium Road Material bid was opened by New Britain Township and the results were forwarded to Falls Township. It is recommended that the board award the Consortium Road Materials bid to two different companies. Member Rocco moved to approve the consortium bid for the stone and aggregate items as well as the blacktop and binder material to Eureka Stone Quarry; and the cold patch material to HEI-Way, LLC; Member Dence seconded the motion; all board members were in favor. (4-0)

**ITEM # 15 CONSIDER BUS QUOTES FOR THE 2017 FALLS TOWNSHIP
SUMMER CAMP PROGRAM**

The township received quotes from two bus companies for their services for the 2017 Summer Camp. The quotes were received from STA Bristol in the amount of \$5,400 and from First Student in the amount of \$6,132. Mr. Brian Andrews said they were very happy with the services from STA. This year's summer camp will be held at Penn Valley Elementary School. Member Rocco moved to approve the bus quote from STA Bristol in the amount of \$5,400 for the 2017 Falls Township Summer Camp program; Member Dence seconded the motion; all board members were in favor. (4-0)

**ITEM # 16 CONSIDER THE PURCHASE OF POOL CHEMICALS AND
SUPPLIES FOR THE PINWOOD POOL THRU THE BUXMONT
AQUATIC CONSORTIUM**

Manager Gray said the winning bidder for this year's pool chemicals is Buckman's. The price for liquid chlorine is \$1.17/gallon and the price for hydrochloric acid is \$3.05/gallon. The price for soda ash is \$13.50 for a 50-lb. bag. Member Dence moved to approve the Buxmont Aquatic Consortium bid to award to Buckman's for the products and rates stated in the March 29, 2017 memo; Member Rocco seconded the motion; all board members were in favor. (4-0) Member Dence amended his motion to include "subject to the consortium approval;" Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 17 CONSIDER PROPOSAL FROM T&M ASSOCIATES FOR
PROFESSIONAL SERVICES FOR ASBESTOS AND LEAD-BASED
PAINT MANAGEMENT SERVICES FOR PROPOSED DEMOLITION
– FALLS TOWNSHIP MUNICIPAL COMPLEX**

The township received a proposal, from T&M Associates, for asbestos and lead-based paint management services for the proposed demolition of the Falls Township Municipal Complex project. The cost is \$11,350 for these two services. Manager Gray said this was a non-budgeted item in the 2017 budget. Member Dence said we don't know if we have asbestos or lead paint. Mr. Sullivan said if you are not going to tear down the building, it is not required. If this building is to be demolished, then it is time to do the work. Member Dence moved to approve the award of professional services for the asbestos and lead-based paint management for the proposed demolition of the Falls Township Municipal Complex to T&M Associates in the amount NTE \$11,350 to be spent if and when the building is to be demolished; Member Rocco seconded the motion; all board members were in favor with the exception of Member Boraski who voted no. (3-1)

**ITEM # 18 CONSIDER PROPOSAL FROM T&M ASSOCIATES FOR
PROFESSIONAL SERVICES FOR PHASE I ENVIRONMENTAL
ASSESSMENT FOR THE NEW FALLS TOWNSHIP MUNICIPAL
COMPLEX**

The township received a proposal, from T&M Associates, for professional services – Phase I Environmental Site Assessment for the Falls Township Municipal Complex. The cost is

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\$4,500. Member Boraski asked if we budgeted for this item. Manager Gray said no. Chairman Harvie asked if it is recommended that we do this before we go out to bid. Mr. Sullivan said the building specs are close to being prepared. Until there is an authorization to advertise, you don't need to do this work. If you are committed to doing the project, this should get done. Board members were concerned over this expenditure. Member Dence moved to table this item until we get an estimate of the cost of the building project; Member Rocco seconded the motion; all board members were in favor. (4-0)

Currently the purchase order for the T&M fishing pier project has \$1,521.73. The board is asked to consider an additional \$10,000 to be applied to increase the purchase order for T&M for their services on this project. Mr. Sullivan said this will be an engineering change order for the project. They have been out to bid twice now. They have re-designed it once and ran out of the budget for this project. Chairman Harvie asked if this would count on the open space funding. Manager Gray said no. Member Rocco moved to approve the engineering change order for \$10,000 for T&M Associates for the fishing pier project; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 19 MINUTES – MARCH 21, 2017

Member Dence moved to approve the minutes from March 21, 2017; Member Boraski seconded the motion; all board members were in favor with the exception of Member Rocco who abstained as he was absent from the March 21st meeting. (3-0-1)

ITEM # 20 ENGINEERS REPORT

Mr. Sullivan said the Quaker Penn boat ramp docks were put in last Wednesday. For the 2016 Road Improvement Program, General Asphalt Paving will begin tearing up the roads in the next day or two and then continue work early next week. That will allow for Bustleton Services to come in and do the landscape. This is on Howley Drive. Member Dence moved to approve the March Engineers Report dated April 13, 2017; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 21 BILL LIST

Member Rocco moved to approve the April 18, 2017 bill list in the amount of \$1,680,953.50; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 22 EXECUTIVE SESSION – There was no Executive Session held.

ITEM # 23 POLICE CHIEF'S REPORT

Lt. Ward provided the following information:

- Hiring – the police department hired two police officers. They will be sworn in at the next meeting.

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- The police department's newest K9 is Leo, partnering with Brian Fisher, has just received a donated bullet-proof, stab-proof vest.
- The Chief for a Day student, Jordan Davis from the Oxford Valley Elementary School, did a very good job.
- We are continuing our very aggressive drug enforcement. We have had four officers dedicated to this effort. Since January 1st, there have been 81 arrests, they have served seven residential search warrants, seized seven cars turned over to the Bucks County District Attorney's office, along with \$10,000 in cash turned over to the drug fund. The county has approved all overtime that the township may incur as long as we are investigating narcotics.
- For the new hotel ordinance we have had four arrests. The ordinance is already having a big effect.
- Our traffic enforcement program is continuing. There were complaints in the area of Vermillion & Viewpoint and they will be enforcing in this area.
- The township received a donation to the K9 unit from the Pennsbury School band.
- Lt. Ward said the Active Shooter Drill went very well. They learned a lot of things. They had the shooter down in under two minutes. They were deficient in some areas. Where they lacked was their coordination between the EMS, police, and the fire department. The Secret Service was monitoring this for us and said we were in national standards, but we want to cut down on that time. This was a combined effort between Falls Township and Lower Makefield Township. Chairman Harvie said he had the opportunity to view this drill from inside of the cafeteria at the school. It was very impressive. He came out of this with a couple different hats – a Board member, sitting on the Crisis Committee at the Tech School, and being a parent with a child in Pennsbury. Chairman Harvie acknowledged the fact that Lt. Ward had a huge role in making this happen. He worked very hard on this for many months. Congratulations on an excellent job.
- On April 23rd from 8 – 11:30 a.m., there will be a 5K Walk/Run sponsored by Extreme Fitness and the money will go toward the Youth Police Academy. Please stop by to show your support. www.fallsington5k.racewire.com.

ITEM # 24 MANAGER COMMENT

- A. Member Rocco moved to enter into the rental contract with M&R Party Rentals, LLC in the amount of \$1,500 for rides for the June 3rd Family Festival; Member Dence seconded the motion; all board members were in favor. (4-0)
- B. Member Rocco moved to approve escrow release # 6 for Morrisville Commons in the amount of \$19,980; Member Dence seconded the motion; all board members were in favor. (4-0)
- C. Member Dence moved to approve the Pennsbury Manor waiver of land development application for 90 days - this will take them to July 12th; Member Rocco seconded the motion; all board members were in favor. (4-0)
- D. The 2017 Spring Yard Waste Clean Up will be held on April 22nd. Waste must be bagged in 30-gallon paper bags or be put in trash cans without lids. It must be outside of

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your property by 6 a.m. in the same place as your trash pickup. No plastic bags will be accepted.

- E. The 2017 Bulk Disposal Day will be on Saturday, April 22nd at 7 a.m. for Falls Township residents. Must show proof of residency. This will be held at G.R.O.W.S. Landfill behind the Waste Management Turkey Hill office at 1000 New Bold Road. For more information, please call 1-800-869-5566.
- F. Manager Gray announced new township businesses. They are: Plato's Closet; ProcessIT, Inc.; Bill Deckhart, LMT, BCTMB; and Prime Multi-Services.

ITEM # 25 BOARD COMMENT

Member Rocco said there was a big fire on Easter Sunday and the fire went on for hours. All three of our township fire companies responded. Their service is appreciated and means a lot.

Member Dence – no comment.

Member Boraski – no comment.

Chairman Harvie said that due to Election Day, they will move the May Board of Supervisors meeting to May 15th. With the weather getting nice, please be careful driving, especially with kids in the street on bicycles and skateboards. We do have a Neighborhood Traffic Advisory that meets quarterly so if you have specific concerns, this is something we can pay attention to. We received a couple of complaints from neighbors who live near houses that are abandoned or where people have moved out. If you have a property like that near you, call Code Enforcement and they can come out and make sure the property is maintained. They can also check and see who owns that property.

Member Dence moved to adjourn the meeting; Member Rocco seconded the motion all board members were in favor. (4-0) The meeting was adjourned at 8:35 p.m.



Jeffrey Rocco, Secretary

