

**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 7:03 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.

**PRESENTATION TO LEVITTOWN/FAIRLESS HILLS RESCUE SQUAD FOR
THEIR LIFE SAVING EFFORTS AT THE FAIRLESS HILLS GOLF COURSE**

Fire Marshal Rich Dippolito said he was approached about an idea to create an awards recognition program for the fire companies and rescue squads for acts that are deemed worthy. In April of this year, they had an event take place which deserves recognition. Chief Christopher Reif of the Levittown-Fairless Hills Rescue Squad said that on April 9, 2012 a golfer, Mr. Thomas Hosbach, collapsed due to cardiac arrest while at the Fairless Hills Golf Course. Three fellow golfers came to his aid, started CPR and called 9-1-1. Mr. Reif thanked these three gentlemen, Mr. Peter Horsley, Mr. Ken Morgan, and Mr. Joe Meyers and presented them with awards. Dr. Harry Emmerrich, on-call physician of Aria Health-Bucks, was presented with a healthcare hero award. Mr. Reif said the three gentlemen were in the right place at the right time. It is important to say that the steps in the chain of survival, calling 9-1-1, starting CPR, response of the paramedics, the fire marshal, and firefighters from the Fairless Hills Fire Company, and use of a defibrillator, were followed and thus contributed to Mr. Hosbach's survival. Mr. Reif said only about 8% of the people in this country who suffer a massive heart attack actually survive. Paramedics Brian Huber, Steve Hare, Ben Calhoun and Hank Degner, past Chief and Fire Marshal Rich Dippolito, Firefighters Ken Daubert, Jim McCole, Eric Lawrence, Scott Rhoades, Chris Balasco, Fire Police Steve Dull and Jack Murphy also were recognized for their efforts. All were all presented with a life-saving pin. Mr. Thomas Hosbach personally thanked everyone who came to his aid and saved his life. Chairman Harvie thanked everyone who was involved as well as the gentlemen who organized tonight's ceremony.

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

Mr. Roland Kenney thanked Mr. Obert for making the suggestion at the last meeting to have information on agenda items on display at each meeting. He also thinks it is a good idea.

Board of Supervisors – September 4, 2012

Mr. Kenney said people he talks to think this building could be renovated or rebuilt for a lot less money than what is being proposed. Mr. Kenney asked if Waste Management pays taxes on Biles Island. Chairman Harvie said yes. Mr. Kenney said he hopes everyone enjoys their night. He was glad to see the citizens, volunteers, and emergency responders get the recognition they deserve. Mr. Kenney said if he knew the board would speak about Biles Island and the building renovation during board comment at the last meeting, he would have stayed longer at the meeting. Chairman Harvie said during board comment at the last meeting he did speak about Biles Island. They did not make any official decisions yet, but they will speak tonight about this item.

ITEM # 2 PRESENTATION ON PROPOSED BUILDING RENOVATIONS BY KIMMEL BOGRETTE

Chairman Harvie introduced this agenda item. He said the award we gave to Kimmel Bogrette for looking at this building covered the original work they have done so far and coming up with the proposals. There were four proposals presented. It also covers the next step for the board to direct the firm to do an in-depth study to move forward on one of those plans. All of the board members agree that the prices they are looking at are higher than what they wanted to spend, so they want to look at what they can do to bring those prices down. The board is in favor of option 4A. Mr. Martin Kimmel explained option 4A which is to leave this building facility primarily intact, to build to the left a new facility, and then at the same time to also connect to the cul-de-sac. It would give you some emergency ingress/egress out of the site. Once the new facilities are built, they propose to tear down the current facility. The cost to renovate this building would be equal to or greater than the cost to construct a new building. Chairman Harvie asked about the people that live right behind the township building and any problems they may have with storm water management. He asked if the renovations they make would improve storm water management for those residents. Mr. Kimmel said yes, that is correct. There were no storm water management improvements done except when they constructed the salt shed and that was about sixteen years ago. Mr. Kimmel said proposed storm water management plans would improve current conditions in that area. That would bring the site into full state-of-the-art compliance. Chairman Harvie asked about exploring this further and taking it to the next step with option 4A. Mr. Kimmel said they would develop sufficient details and floor plans so each department would be able to study a more detailed plan. They would develop a priority list to match the budget the best they can. The first part of the plan was to look out twenty-five years and beyond. They will create an accurate and detailed site plan that would allow you to understand the whole parking characteristics and parking flow. They also need to development some exterior images. They will update the cost estimate with more detail, priorities, and options so you can track different pieces of the puzzle as you move forward. Chairman Harvie asked if they needed to take a vote this evening. Mr. Clarke said no. You have retained Kimmel-Bogrette and you are simply giving Mr. Kimmel direction this evening. As you move down the line, if there are more costs involved, then you will need a vote. Chairman Harvie asked about forming a sub-committee for this project. Mr. Kimmel said it is good for the consultant to have input from the board as well as the staff. If you form a building committee or study committee, it should have representation from the board as well as representation from the staff so they can come back

Board of Supervisors – September 4, 2012

and advise the full board of the things they discussed and their ideas. This is an efficient way to keep the ball rolling. Chairman Harvie said the sunshine law prevents any three board members from meeting, discussing, and taking action. Chairman Harvie asked to have two board members as part of this committee. It could include someone from each department as well as Manager Gray. Member Rocco asked about the time frame for this next phase. Mr. Kimmel said he would like to have the committee formed shortly after this meeting. He plans to have this phase wrapped up before the holiday season. It may take about two meeting cycles. Member Rocco asked about the time commitment that is needed from the office workers here. Mr. Kimmel said they have all the data they need from the staff. They would need to know any issues of right-sizing for managing the scope of the project. Then they would create the work product and present that to the staff and the committee who would react to it. That is not very time consuming; maybe four meetings. In terms of number of hours, he is looking at about six to ten hours for individuals on the committee. Member Snipes moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Roland Kenney asked how Chief Wilcox was doing. Chairman Harvie said he is doing well but still having some issues due to the concussion. Mr. Kenney referenced the old Pathmark building and said the produce store is only using about a quarter of the building. Chairman Harvie said it is currently being renovated and there will be someone moving into the vacant area of that building. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Chairman Harvie said Mr. Kimmel has his direction and we will get back to him about the sub-committee.

ITEM # 3 PRESENTATION BY ACT ENGINEERS ON PROPOSED BILES ISLAND PROJECT

Chairman Harvie said we will have a presentation from ACT Engineers regarding Biles Island. ACT has been working on what we want to do with Biles Island and they have generated a master plan. We have been looking into getting some grant money from the state. We are at the point now of making some decisions. ACT is going to give us an update along with some ideas on where to go next. Ms. Carol Beske, President of ACT Engineers, Mr. Rob Korkuch, Vice President and PE, and Mr. Eric Rosina, Environmental Management and Project Manager for Biles Island are present this evening to give a short presentation and answer questions. Chairman Harvie said their hope is that by the next meeting we will be ready to give them some direction. Ms. Beske said there is a lot of excitement about Biles Island and a lot of support for this project. They went out to find some funding sources. They will show the board where the funding sources are, what needs to happen to get those monies if you chose to, and to see where you wanted to move forward. What has been expressed by a lot of people is that you would like get the northern part of the island open for the public. Mr. Korkuch said ACT Engineers has had consistent communications with the Department of Conservation and Natural Resources (DCNR) and said that DCNR loves this project. One thing they have learned is that due to current reduced funding, the dollars will be at a lower level. Mr. Korkuch said you have authorized them to submit a grant application to DCNR, which they have done. There appears to be other funding sources, besides DCNR, which are viable for this project. When you use

Board of Supervisors – September 4, 2012

someone else's money they can tell you how to use it and there are some strings attached to that money. We have been screening their rules and regulations to make sure they are a reasonable fit of the township's intention for Biles Island. The Biles Island Master Plan talked about getting phase 1 open to the public. They will need to do some design work in order to do that. Mr. Korkuch said they will also speak about the budget. Mr. Rosina gave the presentation and spoke about the funding for this project. Member Snipes said as he looks at phase 1 the total is \$1,250,000. He asked if that is based on the sketch given to the board. Mr. Rosina said yes. The estimate was originally \$600,000 to \$1,500,000 because of what was involved. Due to some of the access issues and based on what Waste Management will bring to the table, that is the number they estimate. Member Snipes asked if the board could talk about changes to the plan to bring that number down. Mr. Rosina said yes. Member Snipes asked if DCNR is coming from the grant that we applied for. Mr. Rosina said yes. Member Snipes asked if they could only spend \$54,000 for this section. Mr. Rosina said the DCNR grant has multiple components for the overall project. The preliminary design component for phase 1 that can be allocated here is \$108,000; it is a 50% match. Member Dence asked about the Bucks County Open Space money we have already been granted. Chairman Harvie said that is the money that we have been given by the county to spend on open space. Member Dence asked if we need to acquire ownership of phase 1 or the whole island. Mr. Rosina said it is a portion of the island – phase 1 that you would own; a minimum 25-year lease. Member Rocco asked if the phase 1 cost of \$1,250,000 is fully loaded. Mr. Rosina said yes, based on rough numbers. Member Rocco asked how long this process would take if they want to move forward. Mr. Rosina said construction should begin next spring or summer. Mr. Korkuch said it can be fine-tuned and also can be phased as well. Some of the features such as the pedestrian bridge or gazebo could be done a little later. Member Rocco said there was a comment about a possible wetland issue. Mr. Rosina said they have a tentative mitigation project proposed in the central portion of the island that they would need to work with to redesign and compensate on some things they are going for. There are some ongoing issues that would need to be addressed now and that is part of the proposal you have in front of you. Member Dence asked if those issues would affect phase 1 or the whole plan. Mr. Rosina said they will be worked into the plan. He thinks they can accomplish phase 1 with the wetlands issue that they proposed, but there may be other ways to address this that would be more advantageous for the township. Chairman Harvie asked about the large coke works landfill that will come on-line in the next five years or so, and if there are some wetlands they will be working in. In order to do that, do they have to create wetlands somewhere else to balance out what is being done now? Mr. Rosina said there were discussions between Waste Management and ACT as to where they will be and to make sure it will not get in the way of what the township is looking to do. That is a state law they have to comply with. Mr. Rosina said those are all conversations that will need to be happening. Member Dence asked if their plans for these wetlands includes phase 1. Mr. Rosina said we have talked to Waste Management and they are planning these wetlands which would accommodate phase 1. Ms. Beske said it is important to point out that what Waste Management is looking at for wetlands is only about six acres. After meeting with them, we don't see any problem with being able to accommodate that on the northern piece. In many ways, it could enhance the area because it could provide for opportunities such as pedestrian walkways and boardwalks

Board of Supervisors – September 4, 2012

to get you closer to the natural habitat areas and also provide a teaching tool for education. Member Rocco asked for the definition of a wetland. Mr. Rosina said a wetland is an area that is inundated for two weeks out of every year, enough to alter the soils and the vegetation that is growing there. There are tidal and non-tidal wetlands. Phase 1 is considered tidal. Member Rocco asked if there is any limitation on the Bucks County Open Space. Chairman Harvie said there was a bond passed by the county three to four years ago, that awarded open space money to municipalities throughout the county based on their population and size. We have \$940,000 to spend. One of the issues that has been raised is that there weren't a whole lot of areas left in Falls Township that are open and left to buy. The understanding is that if you buy an area for open space, it can never be developed. It can be used as passive recreation. Chairman Harvie said we can use open space money to improve township property. Over the years we have talked with people about selling pieces of property and negotiations broke down. Board members are looking now because by the end of 2014, we have to use that money. This seems like an option we can pursue. Member Dence asked about the master plan which showed fishing piers and river access. Mr. Rosina said it would be included and those numbers can be allocated accordingly based on priority. Member Galloway asked about open space dollars. Mr. Rosina said there is a 25% match on open space. Chairman Harvie said we would have to match up to 25% on a total of \$1,250,000. Member Galloway said he is impressed with the way ACT Engineers has reached out to find the funding. He said this is a lot to look at. Chairman Harvie said looking at phase 1 and mostly focusing on construction, engineering, and getting access to the site is the most costly piece of the puzzle. He asked Mr. Rosina if that is accurate. Mr. Rosina said yes, that is an area we have to focus our efforts on. Member Snipes asked if they needed to initiate some conversations with Waste Management about starting with a lease since we don't yet own the island. Mr. Rosina said yes. A twenty-five year lease minimum is what is needed for the open space. Mr. Clarke said some of these conversations have already started taking place with Waste Management. They have indicated their willingness to be cooperative and to help us achieve our goals with the open space money. There is the possibility that when a portion is available to sub-divide that property and we take ownership of the lower portion or if there needed to be a long-term lease, Waste Management has indicated that they would consider that. Mr. Clarke said the whole agreement that we have laid out clearly shows the option to purchase that property for \$1. The issue is not if we will take ownership, it is when we will take ownership. Chairman Harvie asked about documentation that references the amount of \$45,000 and if that is what ACT is looking at to continue moving forward with the planning and searching for grants and working with DCNR. Mr. Rosina said that is to put together the application for county funds as well as to continue the planning and working with DCNR to further those endeavors. He tried to break down what is matchable and unmatchable dollars. Mr. Rosina said the natural areas funding needs to be prepped and in place by early October. While the open space monies are secured and in the township's name, there is a submission process that we have to go through. Member Rocco said the cost seems to exceed the funding. Mr. Rosina said there is other funding that they will pursue for these dollars as well as PECO money that is out there. Mr. Rosina said part of that is in order to utilize the \$937,000 for this project. Just because it is in Falls Township's name, doesn't automatically utilize it for Biles Island. We have to go through the process in order to use it for Biles Island.

Board of Supervisors – September 4, 2012

Chairman Harvie asked about taking a couple of weeks to look at where they want to go and then give them the award and direction or if there is an interest from board members in approving the \$45,000 for ACT Engineers to continue moving forward now. Member Dence and Member Rocco said they would prefer to wait for two more weeks before moving forward. Member Snipes is not sure if the numbers he is looking at are firm, but he feels comfortable in taking some additional time. Member Galloway shares the thoughts of the other supervisors as well. Chairman Harvie told ACT Engineers they will look at this and then in another couple of weeks hopefully have some answers for them. He thinks they definitely have to make a decision in the next two weeks and then give ACT Engineers their direction.

ITEM # 4 EXECUTIVE SESSION – There was no Executive Session.

ITEM # 5 MANAGER COMMENT

1. Member Dence moved to approve the purchase of 20 bare root trees at the price of \$50 each and 10 bare root trees at the price of \$85 each for the total of \$1,850; Member Galloway seconded the motion; all board members were in favor. (5-0)
2. Manager Gray announced some upcoming Park and Rec events. There will be a Children's Treasure Chest Sale at the Falls Township Community Park, phase 2, on Saturday, September 8th from 9 a.m. to 1 p.m. Family Fun Day will take place on Sunday, September 16th at the Falls Township Community Park, phase 1, from 2-4:30 p.m. The Fall Recreation Program will be starting in late September. Registration runs until September 13th. For more information, please contact the Parks and Rec Department at 215-949-9000, x220.

ITEM # 6 BOARD COMMENT

Member Snipes said he hopes the board can make some decisions on Biles Island in the next couple of weeks. Member Snipes said he was glad to see them make a purchase from the Bare Root Tree program. He said the Pennsylvania Horticultural Society is a great organization. He is glad we dealt with these issues tonight as they are both positive steps for the township.

Member Rocco said they had a recognition ceremony that kicked off tonight's meeting. It was nice to recognize everyone involved.

Member Galloway – no comment.

Member Dence said there are some upcoming events taking place at Pennsbury Manor. On Sundays they will focus on gardening and cooking.

Chairman Harvie said there has been some spraying for mosquitos by the Clarke Mosquito Company. Manager Gray said there are a few more areas that Clarke and the county will be going through. They will be setting traps as well. Chairman Harvie said we are doing what

Board of Supervisors – September 4, 2012

we can. Not a whole lot of municipalities do mosquito spraying. Manager Gray said Tullytown does it, but in the surrounding areas they do not hire an outside firm to do the spraying. Chairman Harvie said the county can move very quickly. We are restricted and cannot go out to set traps and spray because you have to be licensed in order to do that. Chairman Harvie said two weeks from today will be the ground-breaking for the senior center. Board members are invited to attend the ceremony on September 18th at 10 a.m. Mr. Sullivan said the board signed the contract for the funds two weeks ago at the last meeting. We are waiting for the notice to proceed from the county. We expect to give the contractor the notice to proceed as soon as we get those documents. Chairman Harvie thanked the board members for their work. He also thanked Fire Marshal Rich Dippolito, Fairless Hills Fire Chief Kevin Dippolito, and Levittown-Fairless Hills Rescue Squad Chief Christopher Reif for their work in putting together the awards ceremony 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 8:26 p.m.



Jeffrey Dence, Secretary