

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

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

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 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 thanked Chairman Harvie and Member Snipes for attending the Falls Township Senior Center ground-breaking ceremony earlier today. Mr. Kenney said Manager Gray was there as well as Mr. Sullivan, Congressman Michael Fitzpatrick, Mr. Bob Sooby from Representative John Galloway's office, and some other invited guests. It turned out to be a nice day. Mr. Kenney spoke about Police Officer Bradley Fox who was killed in the line of duty. Mr. Kenney said these senseless killings and the hatred around the world has to stop. Mr. Kenney said everyone he talks to is still against the Biles Island project. They say it is not the initial investment, but the long-term costs.

Mr. Guido Mariani said what we want to avoid here is what happened in Stockton, CA and about 200 other municipalities. They obligated their communities to un-necessary projects, well beyond the role of government. Mr. Mariani said our township employees now contribute 5% to their healthcare compared to about 20-29% in the private sector. The benefit cost here now is probably around \$34,000 per family versus \$15,100 per family in the private sector. What Stockton did was they built amenities such as an arena, and marina and they could not afford the maintenance costs afterward. We built a dog park, skate park, boat ramp, senior center, and now we are considering \$15,000,000 for a new municipal complex. With Biles Island, Mr. Mariani thinks we are providing another un-affordable amenity without providing any means of financial support to maintain it in the future. Mr. Mariani said he does not think we need a nature center, playground, fishing pier, bird watching, restaurant, another boat ramp, pedestrian bridge, boardwalk, green technology center, trails, outdoor recreation, picnic, or camping facilities. He said the cost will be staggering. Mr. Mariani said green technology cannot fuel trains, planes, and automobiles and they probably won't be able to do it for the next 30 years. Mr. Mariani asked if they have assessed the ADA costs on the accessibility guidelines for outdoor developed areas for trails, outdoor recreation, access routes, and bridge access routes. He said he does not know

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how you will maintain this monstrosity. Mr. Mariani said he thinks a vote to support any phase of this plan is a vote for reckless spending and it is going to create a future financial obligation in Falls Township. It won't stop at phase 1; it will keep on going. Mr. Mariani asks for the township to drop this project.

Mr. Todd Harbison (15 East Trenton Avenue, Fallsington) spoke about a notice of intent that he and his wife recently filed to open a dance studio in his home in Fallsington. His home is zoned as NCR and he believes his property is allowed to be used for educational purposes. Mr. Harbison said he and his wife have been living in the community for about six years and said Fallsington is a beautiful town. Mr. Harbison said his wife has been teaching dance for 23 years. She holds a degree in dance. She had been working in another studio, but the studio where she worked turned in a different direction so his wife is looking to branch out on her own. They currently held registration and she has about 26 students. They need to move forward with the intention part of the process so they can schedule inspections and see what they need to do to bring the facility up to code. Mr. Harbison said at one point, they also looked into having their business at an antiques store across the street from their home, but that did not work out. Mr. Harbison said ninety percent of the kids currently signed up are children of parents that his wife taught at an earlier age. Chairman Harvie thanked Mr. Harbison for coming out. The idea of setting up a dance studio as a small business is something they welcome. Chairman Harvie said he became aware of this project just a few hours ago before this meeting. There are codes that have to be followed. Chairman Harvie asked Mr. Tom Bennett to comment on where this project now stands. Mr. Bennett said he received the application this afternoon and he did start to review some of the application. The use is in the basement so there are things he has to check on such as fire separation and parking. Mr. Bennett said they may need sprinklers and it could be a conditional use. He will get back to Mr. Harbison as soon as he can. Chairman Harvie said safety is a big issue and the township has an obligation to make sure that the business follows the zoning codes and ordinances.

Mrs. Sarah Boykin is Mr. Harbison's wife. She said she has danced her entire life. Mrs. Boykin reviewed her credentials and said she has taught people ages 2-1/2 up to adult. Her basic goal is to have a place for kids to have fun and to learn the sport of dance. Mrs. Boykin said although some activities get pushed aside because they are expensive, every child that would walk through her dance studio would feel accepted. Mrs. Boykin said she loves her community and thinks passing her passion of dance on to children is a wonderful opportunity. Mrs. Boykin thanked the board.

Mr. Edgar Lituma asked about the soccer field project. Mr. Sullivan said they are still waiting for one permit from the conservation district. They should have that by the end of this week and then we can start working on the project. Mr. Lituma invites the supervisors to see how many people use the fields. Mr. Lituma said he wonders how many people in Falls Township use the boat ramp. Mr. Lituma said he does not think the township should spend money on Biles Island and said you should ask the public first before doing these projects. Mr. Lituma asked about the status of the South Olds Boulevard bridge project.

Chairman Harvie said they will talk about this during item # 9 on the agenda. They will possibly be purchasing the actual bridge itself and then getting a contractor to put it in.

**ITEM # 2 CONSIDER TWO PROPOSALS FROM ACT ENGINEERS FOR THE BILES ISLAND PROJECT**

Chairman Harvie said they had a presentation from ACT Engineers at our last meeting regarding two proposals for plans at Biles Island. Ms. Carol Beske, President of ACT Engineers, and Mr. Rob Korkuch, Vice President and PE are present this evening. Chairman Harvie asked Ms. Beske to speak about the Biles Island project. Ms. Beske gave a short recap of the project. She said ACT Engineers was hired in 2010 to generate the Biles Island Master Plan. They held many open houses and public meetings in this room where they had about 20-50 people attend each of those meetings and tell ACT Engineers what they would like to see at Biles Island once the ownership of the Biles Island property is taken over by the township from Waste Management. Everyone said they would like to have something happen at Biles Island sooner rather than later. What they could identify as something happening sooner would be the northern part of Biles Island, referred to as phase 1. ACT Engineers submitted the Biles Island Master Plan almost a year ago which the township accepted. Early this year, Falls Township was wisely seeking some financial assistance and looking at possible grants to move forward with the development of the island. One of the things ACT Engineers was hired to do is to go to the PA Department of Cultural and Natural Resources (DCNR) and pursue some grant money from them. They did complete the application which was a lengthy process. Ms. Beske said they were very encouraged by DCNR. The total grant application submitted to DCNR was \$185,000 that would go toward development of Biles Island. Of that, \$95,000 would be used for the phase 1 Biles Island north piece of the project. During the course of those efforts and talking to folks from the county, ACT Engineers learned that the township was allocated \$940,000 of Bucks County Open Space money. That has been targeted for Falls Township and those funds would be eligible for this project. The supporting documentation would need to be completed and submitted to the county for those funds to come to Falls Township, specifically for the phase 1 north part of the project. The DCNR funds require a 50% match. The Bucks County money requires a 25% match. The Bucks County money can be used to match DCNR funds and DCNR funds can be used to match Bucks County money. That works out to be a nice situation. The first proposal is for ACT to continue the work for additional funding for the project. The first thing they would do is to prepare the application for the \$940,000 of Bucks County open space money. This would also allow ACT to coordinate with the PA DEP, the Army Corps of Engineers, PENNDOT, DCNR, and to continue coordination with Waste Management. The contract also includes coordination meetings with other public and private interests and preparing presentation materials and exhibits. Ms. Beske said they have identified about twelve other sources of funding in the private and public sector to see if they can get additional funds for the Biles Island north project. The second proposal is to do the design and permitting for phase 1 Biles north. That is the northern forty acres that we are talking about giving access to the public as soon as possible. The proposal is for preliminary and final design bid documents. During preliminary design, there would be additional meetings with the township. The proposal

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includes the final design which would include environmental, access to the site, grading, storm water management, land surveying, and other items. They would also prepare the bid and specs. That would get you to the point where you could get started with construction. You can probably have that done within a year if you move forward with the final design. Ms. Beske said she can remember one of the nights when a gentleman with a special needs child came up to speak and said he would just like to have a place where he can drive to and take his son to the river. Chairman Harvie said they have two proposals to consider. The first proposal is for \$45,000 and is for ACT to move forward and continue to search for funding. He thinks board members are interested in moving on that proposal this evening. The second proposal is more detailed in terms of design and construction documents and permitting for phase 1 northern Biles Island. He thinks they may hold off on that proposal as it is not money they budgeted for this year. Member Snipes thanked Ms. Beske for the presentation. He said it was good to remember how they got to where they are tonight and that there is solid support for at least this first phase. Member Snipes said he understood that regarding matching funds, the DCNR grant and the county grant are able to match each other. He asked how they can put these monies together to get this project done. Ms. Beske said whatever you decide to spend in the final construction; whatever number it comes out to be, that would mean that Falls Township would have to spend less money in terms of matching. Their mission was to get some outside money in order to move this project further so it would not be as large of a burden for the residents of the township. Member Snipes asked about using the \$940,000 from the county for any part of phase 1 - the road access, can the funds go to those kinds of things? Mr. Clarke said yes. They are very comfortable with the fact that they can use open space funds for the purposes they have for this project. Member Snipes asked if they need to have something on paper from Waste Management that guarantees the land is coming to us. Mr. Clarke said he believes that the host agreement from a few years back should be sufficient because it states quite clearly in that agreement that we have the option to purchase the property and it is a revocable option. If the county requires something more specific, then Waste Management will provide that to us. We will eventually be purchasing the property. The whole property is \$1. Member Snipes said Ms. Beske mentioned the search for additional funding and asked if she was speaking about public and private sources and if she was speaking for Biles Island north or any part of the project. Ms. Beske said the intent is to find whatever money they can. Some money will go toward the entire project, but other funds could go toward phase 1. Member Snipes asked why a private source would be interested in this project. Ms. Beske said it is from an environmental point of view. There are also some public companies that give money to environmental projects such as this. Member Snipes said he is in support of phase 1. Member Dence said he has some comments, but he will defer to board comment. Member Rocco asked about the ten-person committee for this project. Ms. Beske said they had a steering committee and that was the primary committee. They held public open houses in a variety of meetings with the Army Corps, other agencies, and local residents in order to move the master plan forward so what was important to people was on the plan. Member Galloway understands that if they vote for the first option, they will pay \$45,000 to search for larger sources of funding. Ms. Beske said yes and to hold a lot of coordination meetings with the PA DEP as well as actually getting the application to Bucks County. That is a process where they will want to look at the whole master plan as well as know what

they are funding with phase 1 of the project. It is those kinds of things that are covered under the \$45,000. Member Snipes said he thinks access to the northern part of the island is one of the key issues. Ms. Beske said that is correct. They cannot have discussions with PENNDOT about what they need to do. That is really part of the engineering contract; the larger contract. Member Snipes asked if they will require a new bridge or just widening. Mr. Korkuch spoke about how there may be a limit as to how it can accept traffic. They have to consider access. The expectation is that it will accommodate some initial opening to the public, but they still need to find out. Member Snipes said he is excited about having hiking trails, walking trails, areas open for bird watching and a place for people to visit. He said one of the things that new homebuyers look for when purchasing a home is access to trails and access to open space and having these kinds of things increases the value of homes. Ms. Beske said Biles Island can become a destination for bird watching and from an economic point of view, bring money into the local economy. Chairman Harvie asked Manager Gray about maintenance for phase 1 and how it would affect the Public Works Department in terms of maintenance. Manager Gray said the township considered comparing this to the Falls Township Community Park. The Public Works Department would be down there doing various duties. There would not be too much grass cutting, but there would be weed-whacking, and emptying of trash cans. There would be tables and benches. A lot of the costs would be payroll related and there would be drive-by checks by security. They anticipate this to cost \$30,000 to \$40,000 a year. Member Snipes moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Roland Kenney said when they had public meetings there was a total of only about 150 people. There are over 35,000 in Falls Township. He would rather see plans for a project such as this on a ballot. Mr. Guido Mariani said when business people move into a township or do anything with a heavy capital investment, they look for the current level of taxes and what they anticipate the taxes will be once you don't have host fees. Member Snipes moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Member Snipes moved to award the contract in the amount of \$45,000 to ACT Engineers for the Biles Island Strategy Development and Implementation proposal; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 3    CONSIDER FAIRLESS HILLS FIRE COMPANY MEMORANDUM OF UNDERSTANDING**

Fairless Hills Fire Chief Kevin Dippolito said the Fairless Hills Fire Department was asked to join the Counter-Terrorism Task Force of the Southeastern Pennsylvania Region. At the time, he had to decline as it involved a lot of training and commitment. They were asked again earlier this year to join as an engine company. They signed the paperwork and did join this past May. They are part of the Bucks County Fire Task Force. Chief Dippolito said it is an outstanding program and our S.W.A.T. team is part of it as well. We will support them and they will support us at no cost to each other. Member Galloway moved to approve the Memorandum of Understanding between the Fairless Hills Fire Company and the Southeastern Pennsylvania Regional Firefighting Task Force; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 CONSIDER RESOLUTION FOR THE MUNICIPAL GRANT PROGRAM OF THE BUCKS COUNTY SWAT TEAM**

Manager Gray said the police department is requesting the board to consider approving a resolution to be included in the 2013 casino application. Lt. Hank Ward said last year they were awarded \$217,000. This year they are asking for a combined total of \$278,000. Lt. Ward has to appear before the Bucks County Commissioners meeting. If they support it then he has to go before the Re-development Authority and give a presentation. Chairman Harvie said grant is for bulletproof vests, uniforms, training, software, and other equipment. Member Galloway said he hopes they have continued success. Member Dence hopes it works out again this year in getting the grant. Member Dence moved to approve Resolution # 2012-19 for the municipal grant program of the Bucks County SWAT Team; Member Rocco seconded the motion; all board members were in favor. (5-0)

**ITEM # 5 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2013 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE PENSION PLAN**

Manager Gray introduced this item. He gave some background information about the Minimum Municipal Obligation (MMO). Member Snipes moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Guido Mariani said you have a defined benefit pension and a defined contribution plan. Manager Gray said yes, there are two. Mr. Roland Kenney thanked Manager Gray and the board for providing the handouts of the agenda items for tonight's meeting. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Galloway moved to approve Resolution # 2012-20 establishing the 2013 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$1,470,557; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 6 CONSIDER ADOPTING RESOLUITON ESTABLISHING 2013 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE NON-UNIFORM PENSION PLAN**

Member Dence moved to approve Resolution # 2012-21 establishing the 2013 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$108,171; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 7 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2013  
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PUBLIC  
WORKS PENSION PLAN**

Member Snipes moved to approve Resolution # 2012-22 establishing the 2013 Minimum Municipal Obligation (MMO) for the Public Works Pension Plan in the amount of \$60,188; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 8 CONSIDER PROVIDING THE TOWNSHIP MANAGER THE  
AUTHORITY TO FINALIZE THE PENNS GRANT TENNIS COURTS**

Member Dence moved to approve for Manager Gray to have the authority to finalize the Penns Grant Tennis Court project; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 9 CONSIDER PURCHASE OF SOUTH OLDS BOULEVARD CULVERT  
EQUIPMENT**

Manager Gray said the township received a letter dated September 17, 2012, from T&M Associates regarding the South Olds Boulevard culvert equipment. T&M reviewed the bid specs opened on September 14, 2012. One bid was received. It is from Contect Engineering Solution LLC in the amount of \$112,500 for the base bid and \$79,200 for the alternate bid for a total of \$191,700. It is recommended that the Board of Supervisors authorize the Township Engineer's office to issue a notice of intent to award the bid to Contect Engineering Solution LLC for the base bid plus the alternate for the total cost of \$191,700. The board is asked to consider approving this bid at this time. Mr. Sullivan said the previous bid was for the entire project. Both bids had come in well over the budgeted amount of \$350,000. They decided to split the bid so we purchase the culvert and hire a contractor to install the culvert. Member Snipes moved to approve to issue a notice of intent to award the bid to Contect Engineering Solutions LLC for the base bid plus alternate bid for the total amount of \$191,700; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 10 MINUTES – AUGUST 21, 2012 AND SEPTEMBER 4, 2012**

Member Dence moved to approve the minutes from August 21, 2012 and September 4, 2012; Member Snipes seconded the motion; all board members were in favor. (5-0)

**ITEM # 11 ENGINEERS REPORT**

Mr. Sullivan said the senior center is prepared to start on or about October 1<sup>st</sup>. The culvert and the soccer field projects will be started soon. The 2012 Road Program has started with removal of trees in between the curb and sidewalk. Storm sewer installation will begin on Valley Road. The Three Arches building project started last week. Member Dence asked about the status of the ball field. Mr. Sullivan said the contractor has been down there

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fixing it and watering the grass. Member Rocco asked about International Salt project. Mr. Sullivan said they submitted it and then a couple of days afterward, they pulled it back. He is not sure why. Member Snipes moved to approve the August Engineer's Report dated September 14, 2012; Member Galloway seconded the motion; all board members were in favor. (5-0)

### **ITEM # 12 BILL LIST**

Member Galloway moved to approve the bill list in the amount of \$2,444,603.46; Member Snipes seconded the motion; all board members were in favor. (5-0)

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

**ITEM # 14 MANAGER COMMENT – There was no Manager Comment.**

### **ITEM # 15 BOARD COMMENT**

Member Dence said they would like to develop the Biles Island Master Plan for the entire island in order to get any grant money, even if the entire island is not developed for another twenty years. There is no boat ramp, no restaurant, and no green energy center being planned at the present time. There is a lot in the master plan that has nothing to do with what we are doing now. Member Dence said it is a beautifully-restored area. There is a walking trail and they may put some board walks down. When you hear about a nature center, you think about Churchville or Three Mile Woods. This has the potential of being much better because it has water access. Member Dence wishes more people could have gone on the tour to see how nice this area is. He said this is an opportunity to have something great in Falls Township as far as a nature center goes.

Member Galloway – No comment.

Member Snipes said they had a good meeting this evening. There was a good event today with the ground-breaking ceremony for the senior center. It was very well attended. Member Snipes said after twelve years of work, the expansion is finally going to happen. As he was there he was thinking about the relation of government to citizens and especially the question of spending and government expenditures. He thought about how we decide what to spend money on and being there and seeing what they need and the support how can they decide not to do it, especially if they can come up with the funds to do the upgrade. Member Snipes said he knows Falls Township is in a very sound financial shape. The question is to decide how much civilization you want, then decide how to raise money to pay for it. He asks if we want to have a place for older residents to come to, create ball fields, to have a field for children with special needs, to build a dog park so people can have their dogs off the leash. All these questions come up and then they decide what to spend money on. One of the ways he knows they have not overspent, is because he knows there is much more money in the bank than when he came on the board almost twelve years ago. He thinks the finances speak volumes for this board. We need to decide on what kind of




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community we want and then decide how to pay for that. Member Snipes said there were both Democrats and Republicans supporting the senior center. It was a good day and will be an even better day when they do their ribbon cutting.

Member Rocco – No comment.

Chairman Harvie echoed the comments from Member Snipes about the senior center. It was good to see the folks he has been talking to over the past four or five years about the senior center project. There seemed to be so many hurdles to get through to make it a reality and it will be a reality very soon. A few years ago, there were many seniors who doubted they would see it happen. There were delays and things out of our control. It was great to be there. Chairman Harvie thanked all those who helped with this effort. There was a lot of discussion about the boat ramp and other projects and getting public input. The issue of the boat ramp was brought up many years ago. They have had numerous meetings when people came out and just this weekend he had a neighbor thank him for the boat ramp. It is something people are using. Certainly not everyone will agree with things they do; that is just the reality of things. They don't really rush through anything. For Biles Island, it was two years ago that they hired ACT Engineers and we are here two years later and still in the planning stages. The boat ramp took about five years to go through. The same thing is true about the skate park. They do take pride in trying to do as many things as they can. They are being very conscious of the money that is being spent. Most people have not been to Biles Island and once you go there, you realize there isn't much maintenance that needs to happen. There are a lot of trees, so not much grass would need to be cut. There will be some trash cans to empty. The trails are already there. Chairman Harvie said board members received a letter of interest from Bob Hedden who would like to be appointed to the Community and Economic Development Commission. He asked board members to take a look at the letter for consideration at an upcoming meeting.

Member Dence moved to adjourn the meeting; Member Galloway seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 8:27 p.m.

  
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Jeffrey Dence, Secretary