

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JONATHAN SNIPES, VICE-CHAIRMAN	PRESENT
JEFFRY DENCE, SECRETARY-TREASURER	PRESENT
PHILIP SZUPKA, SUPERVISOR	ABSENT
DOROTHY VISLOSKY, SUPERVISOR	ABSENT

The meeting commenced at 7:00 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Szupka and Member Vislosky. Member Szupka was ill this evening. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, and Township Engineer James Sullivan.

**ITEM # 1 AIR PRODUCTS RELOCATION REQUEST – PRELIMINARY AND
FINAL LAND DEVELOPMENT – SOUTH STEEL ROAD & SINTER
ROAD – TPN 13-51-001**

Manager Gray introduced this item. The applicant is proposing construction of a 16,000 sq. ft. building and a 1,500 sq. ft. modular office building. The applicant is represented by Mr. Doug Maloney. Also present were Mr. Tim Stout, Project Engineer, and Mr. Robert Hauck, Project Manager. The applicant is proposing to move an existing steel structure about a quarter of a mile to its new location and they will also add an office building. The applicant will comply with the two zoning comments. There are waiver requests as follows: Section 191-36D dealing with curb requirements of the driveways; Section 191-37G4 request from the requirement to have trees in the parking area; Section 191-48A waiver dealing with street trees; Section 191-78C2 waiver from providing all features within 200 feet of the property; and Section 187-13B1 waiver from a section of the storm water management ordinance which requires 15” pipe and the applicant proposes 8” pipe. In lieu of trees, the applicant proposes a donation to the township tree account in the amount of \$3,500. Mr. Maloney said the plan was revised due to the comments regarding fire hydrants in the November 2, 2010 Fire Marshal review letter. There was a Traffic Planning and Design letter dated December 17, 2010 and they also addressed those issues in the revised plan. Member Snipes asked Mr. Sullivan if he had any concern with the change in the size of the pipe. Mr. Sullivan said he had no concerns with that change. Member Snipes asked Manager Gray if the donation in lieu of trees was the correct amount. Manager Gray said the amount noted was fine. Mr. Sullivan asked if they still needed the waiver from the paving section. Mr. Maloney said Mr. Stout has advised him they would not require that waiver since they are providing a geotechnical report to support their design section. Mr.

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Sullivan said he believes there should be a waiver granted for that conditioned upon the fact that the applicant provides the information that they just indicated they would provide. This is in the Resolution as a waiver from Section 191, Appendix A. Member Snipes moved to approve Resolution # 2011-6 for preliminary and final land development for the Air Products relocation request, with waivers to Sections 191-36D, 191-37G4, 191-48A, 191-78C2, 187-13B1, and 191 Appendix A; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 2 THE LEARNING EXPERIENCE –PRELIMINARY LAND DEVELOPMENT – 8829 NEW FALLS ROAD – TPN 13-19-218 AND 13-19-219

Manager Gray said the applicant is proposing to build an 11,000 sq. ft. childcare center. Representing the applicant is Mr. Curt Shafer. Also present is Mr. Mike Dippel, Engineer, Mr. Heinrich, Traffic Engineer, and Ms. Angela Mastrogiovanni, Area Manager for The Learning Experience. Mr. Shafer spoke about the waiver requests. The maximum driveway grade for non-residential use is 5%. They started out at 16% and are now at 9%. Additional waivers are from the requirement for the driveway and parking to be more than twelve feet from the property line, requiring a 5% set-back for parking; no grading within five feet of the property line, requirement for street trees, and requiring resource protection from steep slopes. The review letters from the Township Fire Marshal, the Township Engineer, and Traffic Planning and Design are all will comply. Mr. Shafer explained the proposed plans for this site. They intend to demolish the existing building. Mr. Heinrich presented findings of a traffic study that was performed at another Learning Experience site. Member Snipes asked about the left turn into the school. Mr. Heinrich said New Falls Road will be widened and the left- turn lane will be along the entire frontage of the school, similar to that in front of Vermillion Square Shopping Center. Member Snipes asked how many children would attend this center. Mr. Heinrich said they are licensed for 180 children but all of those children would not be at the center at the same time. Member Snipes asked how they gauge about 150 cars moving through a small area. Mr. Heinrich said this will likely occur over a three-hour period of time. There is not a mad rush that all parents come at the same time. Member Snipes asked about the number of employees and the number of parents picking up and dropping off. Mr. Heinrich said everyone will have to park. The children will be walked into the building and picked up. Member Snipes asked how many spots will be filled by employees. There are 27 spots on the right-hand side parking lot. Member Dence said his main concern was about the parking. They did a very comprehensive traffic study. It still seems like a small parking lot for drop off and pick up of children, and hopefully the turning lane will work out with PENNDOT. Chairman Harvie said they did a thorough traffic study. He has concerns with the length of time it would take for the parents to drop off and pick up their children. Chairman Harvie asked how many teacher parking spots are filled at 7 or 8 a.m. Mr. Shafer said it is the policy never to fill The Learning Experience facility to full capacity. On average, 20% of the students show up with a sibling. Ms.

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Angela Mastrogiovanni said there would be ten classrooms with two teachers per class for a total of 20 teachers. At 7 a.m. about half of their staff would be present and around 9 a.m. all of the staff should be there. Member Snipes asked how many children are in a classroom. The infant room would have eight to twelve per class, and the pre-school three to four year olds may have 20 per class. Ms. Mastrogiovanni said they do not have bus service. Mr. Clarke asked Mr. Shafer if the Planning Commission voted to recommend approval or if they voted to recommend non-approval of this project. Mr. Shafer said his recollection was that the Planning Commission voted to grant preliminary approval. Mr. Clarke asked Mr. Shafer if they applied for their Highway Occupancy Permit from PENNDOT. Mr. Shafer said not yet because they need preliminary approval from the Board of Supervisors to submit the application for the Highway Occupancy Permit. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Mr. Brian Binney said this revised plan was submitted to the Planning Commission a few months ago and was tabled at the request of the applicant. The Planning Commission never did see a revised plan on their agenda. Mr. Binney asked if the waiver for sidewalks and curbing along New Falls Road had been removed. Chairman Harvie said yes. Mr. Binney asked about street trees and asked if that was because of the driveways. Chairman Harvie said yes. Mr. Binney asked when they would receive deliveries and where. Chairman Harvie said there was a reference to deliveries and trash collection for after hours. Mr. Shafer said they do not get large deliveries so the biggest truck one would see is probably a panel truck. Mr. Binney said he thinks everyone agrees this will look a lot better than what is there now. Mr. Roland Kenney said this project has dragged on long enough and should be passed. Mr. Guido Mariani spoke in support of this project. He said this is the type of center that helps assure children are ready for school. He does not anticipate any traffic flow problems with this welcomed and needed service to Falls Township. This also replaces a hazard that is there now. Mr. Mariani asked the Board to please approve this project tonight. Mr. Andy Dell agrees with Mr. Mariani about the traffic and said New Falls Road is a dangerous road. He understands traffic studies but people do fly down this roadway. When finished it will be a beautiful building. Member Snipes moved to close public comment; Member Dence seconded the motion; all board members were in favor. (3-0) Member Dence questioned the fact that this project did not go in front of the Planning Commission before the Board of Supervisors. Mr. Clarke explained the process for this project and said it is appropriate for them to be here in front of the Board of Supervisors this evening. Member Snipes asked if there would be signage because of this facility. He wants to make this road safer than it is now. Mr. Heinrich said they will probably not have to install any additional signage in front of the school because the children coming here would be driven to this site. Member Dence moved to approve Resolution # 2011-7 for preliminary land development for The Learning Experience, 8829 New Falls Road, TPN 13-19-218 and 13-19-219 including the noted waivers; Member Snipes seconded the motion; all board members were in favor. (3-0)

ITEM # 3 CONSIDER PROPOSAL FOR ENGINEERING SERVICES FOR COMMUNITY PARK – PARKING AREA EXPANSION

Manager Gray said Mr. Sullivan from T&M Associates has provided a proposal for engineering services at the Falls Township Community Park. This is for additional parking at the basketball courts and the skateboard park. The quote for the engineering services is \$19,500. The number of spots is yet to be determined, but they hope to get 10-12 spaces in the area near the basketball court and as many as 30 spaces near the skateboard park. Mr. Bill Reese explained the need for additional parking spaces. During the summer months on a busy day there could be as many as 1,000 people and 200-300 vehicles in the park at any given time. The proposal entails land surveying services, professional engineering design services, construction observation, and administrative services. Member Dence said this is definitely needed in both areas. Member Snipes moved to approve the engineering services for the parking area expansion for the Falls Township Community Park in the amount of \$19,500; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 4 CONSIDER PROPOSAL FOR ENGINEERING SERVICES FOR NPDES PHASE II PERMITTING – YEAR 8

T&M Associates has provided a proposal for engineering services for assisting with requirements associated with the Falls Township MS National Pollutant Discharge Elimination System (NPDES) Phase II storm water management program for year 8. The cost for this proposal is \$8,400. Representative Steve Dadio from T&M Associates spoke about this program. Member Snipes moved to award the professional engineering services for the NPDES Phase II permitting, year 8 to T&M Associates in the amount NTE \$8,400; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 5 CONSIDER AUTHORIZING ADVERTISEMENT OF BID FOR LANDSCAPING SERVICES AT TOWNSHIP FACILITIES

Member Dence moved to authorize advertisement for landscaping services for the township for 2011; Member Snipes seconded the motion; all board members were in favor. (3-0)

ITEM # 6 CONSIDER AUTHORIZING ADVERTISEMENT OF BID FOR LAWN CARE (FERTILIZER) AT TOWNSHIP FACILITIES

Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Mr. Andy Dell said the amounts in last year's bid were not specified. He said the frequency of visits and number of applications should be indicated in the bid. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Member Snipes moved to authorize advertisement of bid for lawncare at township facilities; Member Dence seconded the motion; all board members were in favor. (3-0)

**ITEM # 7 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON
FORTY-FIVE MINUTE MAXIMUM**

Mr. Roland Kenney said he often mentions that our police department is the best in the country. He has a message for any undesired individuals to stay out of Falls Township because our police will get them. Mr. Kenney said he received a letter from Karen Atkinson the daughter of Pat Reynolds. Ms. Atkinson wanted to see a picture of her mother on the wall near Mr. Kerr. The picture was hung and Mr. Kenney thanked Matt Markey for this help with this. Mr. Kenney said Charter Day at Pennsbury Manor will be held on March 13th. It is a free day for the public to visit Pennsbury Manor. For directions or information, please call 215-946-0400. On the 24th through the 27th Mr. Kenney said he is going to try to get a table at Pathmark to get people to sign up to support Jan Vislosky and keep her as our Judge. Mr. Kenney spoke about the trees near Avenrowe and Pennsylvania Avenue. He said he was asked to delay taking down the trees until Manager Gray and Mr. Bennett looked into some things. Mr. Kenney said he is here tonight to get an answer as to whether or not he can take down the trees, plant new trees, and put up a fence. Chairman Harvie said they are still in a holding pattern right now. There was a meeting scheduled with the residents of Pennsylvania Avenue and unfortunately it was the night of a snowstorm so it was postponed. Manager Gray said they had a meeting last Wednesday night in which they had a discussion about the trees and they are still looking into this matter and what they can do about the situation. There will also be a meeting with Manager Gray, Mr. Kenney, Mr. Clarke, and Mr. Sullivan.

Mr. Joe Kraus said he wants to look at the big picture for Falls Township. Mr. Kraus spoke about KOIZ, the future of the landfill, and the future loss of host community fees. Mr. Kraus said we probably need to get a casino and a marina for large boats. He said if you look at the Eagle's stadium they are installing wind energy. Mr. Kraus believes we need to get solar panels so we can sell electric to utility companies. This will give us another source of host community fees. Mr. Kraus said we do not need ballparks or soccer fields. What we need is another source of host community fees. Mr. Kraus said Falls Township is the best commonwealth to live in. Chairman Harvie said he understands the point Mr. Kraus is speaking about with what they would do when they no longer receive host community fees after the landfill closes. The idea with the landfill is that they are eventually going to put it in. The amount of space will remain the same, whether it is filled in three, five, or seven years. The money will come but we do not know how quickly. We will have a meeting regarding Biles Island to look for ideas of how to use this area. T&M Associates has some experience with companies in New Jersey who lease ground from municipalities to install solar panels. Mr. Kraus asked about the area near the port. Chairman Harvie said the port is pretty well developed. Kinder Morgan and Waste Management both load and unload vessels at that port.

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ITEM # 8 MINUTES – JANUARY 18, 2011

Member Snipes moved to approve the minutes from January 18, 2011; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 9 ENGINEER’S REPORT

Mr. Sullivan said the Fallsington Library project is complete and the contractor has been placed in the maintenance bond period which will extend to a year from now. For the road project all of the storm sewer installation is being completed. The contractor will move into road reconstruction, starting with replacing curbs along Alden Avenue and then digging up the road and replacing it with new paving sections. The boat ramp has made some significant progress. They expect to have the boat ramp in place next Monday. The moratorium is March 15th and opening is scheduled around the beginning of April. The board has to determine if there will be any fees to put your boat in the water. Member Dence moved to open public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Mr. Joe Kraus spoke about the current of the Delaware River. Member Dence moved to close public comment; Member Snipes seconded the motion; all board members were in favor. (3-0) Member Snipes moved to accept the January 2011 Engineer’s report; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 10 BILL LIST – FEBRUARY 15, 2011

Member Snipes moved to approve the bill list in the amount of \$1,737,116.77; Member Dence seconded the motion; all board members were in favor. (3-0)

ITEM # 11 EXECUTIVE SESSION – There was no Executive Session held.

ITEM # 12 MANAGER COMMENT

1. Member Snipes moves to award the 2011 HVAC maintenance contract to Ray Littwin Heating and Air Conditioning in the amount of \$4,750; Member Dence seconded the motion; all board members were in favor. (3-0)
2. Member Dence moved to approve escrow release #1 for Sims Metal in the amount of \$153,171; Member Snipes seconded the motion; all board members were in favor. (3-0)
3. Member Snipes moved to approve the Liberty Towers land development application time extension to April 24, 2011; Member Dence seconded the motion; all board members were in favor. (3-0)
4. Member Dence moved to approve the Jennifer Lane land development time extension to March 15, 2011; Member Snipes seconded the motion; all board members were in favor. (3-0)

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5. Member Dence moved to approve the Trenchtech time extension to May 12, 2011; Member Snipes seconded the motion; all board members were in favor. (3-0)
6. Manager Gray spoke about the Spring 2011 Bare-Root Tree Program. Member Snipes moved to approve the purchase of 40 trees in the amount of \$1,400; Member Dence seconded the motion; all board members were in favor. (3-0)
7. Member Dence moved to approve a \$6,000 donation to the American Legion for the Memorial Day Parade; Member Snipes seconded the motion; all board members were in favor. (3-0)
8. Member Snipes moved to ratify the township's snow emergency from 9:30 a.m. on Wednesday, January 26, 2011 until 5 p.m. on Thursday, January 27th; Member Dence seconded the motion; all board members were in favor. (3-0)
9. Manager Gray said the township is accepting winter recreation registration at the Parks and Rec Office from Monday through Friday from 8:30 a.m. – 4:30 p.m. They will begin to accept summer camp registration starting March 1st. The township summer camp program will be held from June 27th through August 5th at Manor Elementary School. Pinewood Pool membership applications will be available shortly.

ITEM # 13 BOARD COMMENT

Member Snipes wants to remind board members about returning to discussions about the possibility of sidewalks along New Falls Road. He also wants to consider discussions about long-range financial projections. Member Snipes said it has been inspiring to see what has been happening around the world in terms of political change and what people are doing in other countries. He said we usually only hear about the negative news around the world. There is something happening now in Kentucky with a sit-in at the Governor's office in regard to miners and mining practices in Appalachia. Member Snipes thanked everyone for a productive evening.

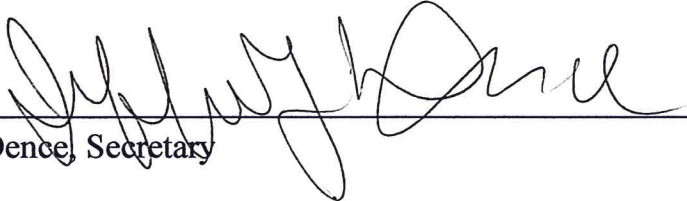
Member Dence said the weather is finally starting to get nice and hopefully the snow is gone. Baseball season has started. This year the township will be managing the pool in-house instead of contracting it out. If anyone is interested in being a lifeguard at the Pinewood Pool, they should contact Mr. Reese.

Chairman Harvie said the St. Patrick's Day Parade will be held on Saturday, March 12th at 10:30 a.m. starting at St. Joseph The Worker Church and ending at Wistar Road. Chairman Harvie spoke about the Tyburn Road bridges. The bridge that goes over the railroad line is failing structurally and has been closed by PENNDOT. That is the only bridge to go down to the KIPC or Pennsylvania Avenue, Pennsbury Manor and Quaker Penn Park. What has been happening over the past few weeks is that more and more vehicles are traveling through Tullytown or through Morrisville. They had some discussions last week with local businesses as well as a representative from U.S. Senator Bob Casey's office. They had some contact with PENNDOT and it could be a couple of years before that bridge re-opens. The bridge goes over the railroad which is the busiest, most-traveled section of railroad in

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America. It cannot be shut down. There has to be a lot of coordination of how to work over this area of railway. We are working with our newly-elected officials to try to get them to push the agencies more and get this project moving. Chairman Harvie moved to re-appoint Nevin Rovenolt to the Environmental Advisory Council for a full term; Member Dence seconded the motion; all board members were in favor. (3-0) Chairman Harvie thanked everyone for a good evening.

Member Dence moved to adjourn the meeting; Member Snipes seconded the motion; all board members were in favor. (3-0) The meeting was adjourned at 8:54 p.m.



Jeffrey Dence, Secretary