

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JEFFRY DENCE, VICE-CHAIRMAN	PRESENT
JEFFREY ROCCO, SECRETARY	PRESENT
JONATHAN SNIPES, SUPERVISOR	PRESENT
BRIAN M. GALLOWAY, SUPERVISOR	PRESENT

The meeting commenced at 7:05 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. A moment of silence was held in observance of the attacks at the Boston Marathon. Chairman Harvie said our thoughts and prayers go out to all of those affected by this tragedy. Mr. Clarke said prior to tonight's meeting an Executive Session was held to discuss personnel matters and a matter of litigation.

**PRESENTATION FROM JOHN KERNER ON BEHALF OF THE LIBERTY USO
TO DISCUSS THE QUE FOR THE TROOPS EVENT**

Mr. John Kerner thanked the board for inviting him this evening and for sponsoring the Que for the Troops event to be held on June 1st. He said it is wonderful to see how it has increased awareness of the USO. Mr. Kerner said they had the honor and privilege to serve the Massachusetts National Guard their farewell meal as well as their welcome home meal. Mr. Kerner read a statement from Mr. Joseph Brooks, COO and President of Liberty USO. The Liberty USO supports the dignified transfer of troops who have paid the ultimate sacrifice. The USO staff works around the clock to ease the burden that the families go through. Liberty USO and the teams at Philadelphia Airport call themselves the families of the fallen. They have handled thousands of family members since the two wars began. This is a solemn and heart-breaking mission. Last year they served over 74,000 troops a hot farewell meal as well as a welcome home meal. They maintain their operation 24-hours a day, 365 days a year, at Philadelphia Airport, Terminal A East. The Liberty USO at the Philadelphia Airport facility has been voted number one. Mr. Kerner thanked each and every member of this township for everything they have done to support the Liberty USO and make them number one. Mr. Kerner said they are incredibly proud of what they are doing and would like to try to expand their services. They are the service members' first line of treatment for post-traumatic stress disorder. This is a big problem and they are helping every way they can. Mr. Kerner said if you can't get involved personally, you can make a donation or possibly have your organization hold a fundraiser. It is important to note that if you are making a donation to the Liberty USO, it has to be written out to either USO of PA/Southern NJ or Liberty USO. This year they are looking to serve better food to the service personnel and perform more services. On June 1st at the Que for the Troops,

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they will have a much better military presence. Mr. Kerner looks forward to this year's event.

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

Mr. Roland Kenney thanked Chairman Harvie for starting tonight's meeting in observance of the Boston tragedy. Mr. Kenney said this Thursday, Senator McIlhinny is having a Senior Expo and Pennsbury Manor is open to the public from 10 a.m. until 1 p.m. for Pennsylvania Day. Mr. Kenney said last week he was at Villa Roma in the Catskills and some U.S. Steel folks were sitting at his table. They were talking about a leaf truck. This truck was removed from service because people were throwing sticks and other debris in with the leaves. Mr. Kenney thinks somewhere along the line they should get another leaf truck and tell the public if they put anything other than leaves in their leaf piles they will be fined.

Mr. Dick Trimble said he thought a long time ago there was an understanding that when someone wants to rent a space they did not have to do an architectural plan for partition walls. Mr. Trimble said he received a phone call from an individual who said they had special treatment for that. Mr. Trimble said this is only a dividing wall. They come in, give you a drawing, the township inspects it, and then it is approved. It saves money and time for when someone is only putting up two or three walls. This particular individual did everything the township asked for, they got the U&O, and then this individual was informed today by an inspector who came into the business and said they had no right to be doing business. He told the individual to go over to the township and make sure everything was in the file folder. They had no permits, nothing. He received a phone call from the township about two weeks ago and said he did everything illegal, even though he had copies. Mr. Trimble said he doesn't know what the problem is, but asked the board to get this straightened out. Mr. Trimble said it is hard enough to get people to come in to rent space to do business in Falls Township, but something that should be simple takes a few months to go through. Mr. Trimble said you have businesses being operated right now that are on illegally-filled wetlands. On this particular issue, Mr. Trimble thought everything was fine. He doesn't understand why we cannot have things run smoother. Mr. Trimble said he would also like to have something done about sewer lines, but that is another battle. Member Dence said he is familiar with this property. Mr. Trimble said he received a phone call about two weeks ago and was told that he illegally put the walls up and you have to get permits. Today an inspector came out and said you should not be open for business. Mr. Trimble said you can't ask people renting properties for site plans. Most of the buildings were opened before site plans were being kept. Chairman Harvie said Member Dence had some contact with you and Mr. Bennett has as well. Chairman Harvie said we are operating at a little disadvantage because Mr. Bennett is not here this evening. We will talk with Manager Gray and Mr. Bennett and see what is going on. If we are in error we will make sure that is corrected. Chairman Harvie said we cannot make any promises to you because we don't know the whole situation.

Mr. John Hildebrand is the owner of the shopping center in question. Mr. Hildebrand said Mr. Bennett came out and told him that the inspector didn't have the authority to do that. He wants to know why the inspector couldn't just say that he was there to do the final inspection instead of everything that happened. Mr. Bennett had told him there is no way it takes 90 days to get in. Mr. Hildebrand spoke of how difficult it is and how long it takes to get businesses in Falls Township up and running. He loves being in Falls Township, but wants a little bit of help from the board to get things straightened out.

ITEM # 2 KIMMEL BOGRETTE PRESENTATION ON THE PROPOSED TOWNSHIP BUILDING

Chairman Harvie said Mr. Kimmel is here this evening to give a presentation on the proposed township building. Chairman Harvie said they spent last year looking at possibilities and looking at this building to see if it was more appropriate to renovate this building or if it was more feasible to construct a new building. The decision was made to construct a new building which would be more efficient and easier for the staff to continue working while construction is taking place. Mr. Martin Kimmel gave a presentation on this project and also some background information. Kimmel Bogrette has worked with over one hundred municipalities with similar tasks such as what is being proposed here. The current building space is 44,340 square feet. The proposed building space is 76,550 square feet. The preliminary cost estimate is \$14,565,842. Mr. Kimmel said the project would take about fourteen to fifteen months to complete. Chairman Harvie said he believes the board prefers to take a few more weeks to discuss this. He does not think they will take any action this evening to spend any money. If they were, they would be allocating roughly \$700,000 to Kimmel Bogrette to begin all of the work that happens this year including the site work and planning along with design and meetings. Member Snipes asked about the decrease in impervious surface. Mr. Kimmel said he believes there will be around a net 14% reduction in impervious surface. Member Snipes asked about geothermal and other technologies. Mr. Kimmel said the technology they are considering is geothermal. Solar would, more or less, be an add-on or alternate. Mr. Kimmel spoke about the Leadership in Energy and Environmental Design (LEED) component. It is an aftermarket judge of how 'green' buildings are. You can apply for LEED certifications for new buildings and renovations. If you do certain things with the design, you get points. You get different certifications based on the number of points you have. It is a costly process to get the certification, but many people want to do the 'green' thing regardless of whether they get the plaque. They believe with this project, LEED silver will come at no additional cost. Mr. Kimmel said they will present all of the options of best practices and give you enough information in order to make an informed decision. They would expect this building to be high LEED silver to LEED gold. Member Snipes asked about the timeline for construction. Mr. Kimmel said construction will take roughly fifteen months. Member Rocco said one thing worth mentioning are possible grants to offset some of the costs. Mr. Kimmel said he had discussed with the board some of these opportunities. If you decide to advance, they can start by getting on the radar with grants and reaching out to the networks. Member Rocco asked Mr. Kimmel to comment on the material used in the design and the shades in the public meeting room. Mr. Kimmel said they will use Cor-Ten weathering steel. It turns a

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rust brown/orange color. It oxidizes very quickly and then you don't have to maintain it. There is no visible masonry. Chairman Harvie said it seems like the modern way to go, considering our roots as a community. Member Snipes moved to open public comment; Member Rocco seconded the motion; all board members were in favor. (5-0) Mr. Guido Mariano said his preference would have been option one which would have been renovating the existing building because it maintains the existing infra-structure. Mr. Mariano said we have all been given multiple opportunities to come here to express our opinions on what should be done. Regardless of what the option, we should go with a geo-thermal heating and air system and there is no question in his mind that is the way to go. According to studies, it is the most efficient option that is available, far surpassing wind and solar. Once you get by the initial costs, it is practically free. Grants and rebates are available and the U.S. Department of Energy funds geo-thermal projects. Mr. Mariano said Kimmel Bogrette has successfully used this technology in past projects. He was looking at the Haverford Community Center and they now use 211 metric tons less CO2 annually. Mr. Mariani said we have numerous complexes in our immediate area that recognize the environmental and fiscal benefits of geothermal. He thinks you have the right people because they have the experience to do this. Member Dence said the cost to re-build this building to the way it would be usable is not that much less than to build new from the ground up. Mr. Mariani said option 1 was between \$13M to \$15M. He thinks that could have been reduced by several million with acquisition of another building for the police department. Mr. Roland Kenney said he looked at the proposed building and said it is beautiful. He said the present building has to come down. He just wishes the price could be lowered. Mr. Andy Dell asked if the steel that you are talking about is the same as the Waste Management towers that are now a rust brown color. He said he is not a fan of that type of steel. Mr. Dell asked if the police department has to be incorporated into the township building or if they could be outside this complex in a stand-alone building. Chairman Harvie said one of the things they wanted to do was to pay close attention to the efficiency of work space and how everyone works together. We have Finance, Human Resources, the Manager's Office, the Fire Marshal's office, Code Enforcement and police in one building all within steps of one another. Chairman Harvie said people walk back and forth all day long. Mr. Dell asked if they need to have tenants in the building. Member Dence said one of the points with the rental space is that we have it there should they ever need it for future expansion. Mr. Dell asked about the square footage price. Mr. Kimmel said it is about \$168 per square feet. Mr. Dell asked if there will be gas lines running to this building in case they want to use them down the road. He said for a couple thousand dollars to lay the lines, they would already be there in case they are needed. Mr. Dell suggests that they really spend some time looking at the parking lot, the islands, and in and out traffic. Mr. Kimmel said the Barclays Center Arena where the Brooklyn Nets play has the arena covered with the Cor-Ten steel. Chairman Harvie said the police entrance is separate from the administration entrance. It is very clear and visible. He doesn't want people walking into a building through one door and realizing they are not in the right area. Member Dence said the police had a lot of input and are basically designing their part of the building. Mr. Dick Trimble said he agrees if you try to renovate the building, \$14M is a conservative number. Mr. Trimble said not to be surprised if you find some tanks in the ground. The only problem he has with the building is the basement concept toward the back of the lot. Mr. Trimble said there are wetlands

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back there and you will have a very high water table. You do have very wet soil back there. The U.S. Steel building in Pittsburgh has the Cor-Ten material. When it rusts, it gets stronger. Mr. Trimble said he thinks some areas of the building are under-sized, but that is just his opinion. Member Dence moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (5-0) Chairman Harvie thanked Mr. Kimmel for his presentation. One reason why they are not voting on this tonight is because they want to have some time to look at this and discuss this further amongst themselves. Chairman Harvie thanked everyone for their comments.

ITEM # 3 CONSIDER PROPOSAL FROM F.X. BROWNE FOR ACT 101 RECYCLING GRANT

Manager Gray said the township has received a proposal regarding the yearly Act 101 recycling service grant. The scope of work includes obtaining valid documentation of the 2012 tonnages from the waste haulers, preparing the application for an Act 101 Municipal Recycling Program Performance Grant, and compiling the documentation along with preparation of a year-end report for the township. The cost of this contract is in the amount of \$3,000. Representing F.X. Browne is Mr. John Doe who is a Water Resources Engineer with F.X. Browne. Mr. Doe further explained their work in order to prepare for the grant. The purpose of Act 101 is to create an incentive for communities and municipalities to increase their recycling. In order for you to get the grant, there is a lot of documentation required by the state. They do that work for the township. Member Rocco asked about the amount the township receives. Manager Gray said the township received \$6,034 for the last grant cycle. Mr. Doe said it has come down significantly over the last few years. Member Galloway moved to approve the total cost NTE \$3,000 to F.X. Browne for completion of the Act 101 recycling service contract renewal; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER QUOTES FOR MOSQUITO CONTROL FOR 2013

Member Dence moved to table this item; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER QUOTE FOR SHED AT FALLS TOWNSHIP COMMUNITY PARK

Manager Gray said the township secured a quote for a 12 x 30 x 10 shed for the Falls Township Community Park. This will be used to house the gators. Member Galloway moved to purchase the shed for the community park from Everlast Sheds in the amount of \$7,914; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER QUOTE FOR SHED AT QUAKER PENN BABE RUTH BASEBALL FIELD

Member Snipes moved to approve the purchase of a 10 x 12 x 8 shed in the amount of \$1,884 from Everlast Sheds for the Quaker Penn Babe Ruth Baseball Field; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER BID FOR AN ASPHALT MILLING MACHINE FOR THE PUBLIC WORKS DEPARTMENT

Manager Gray said one bid was received for the asphalt milling machine for the Public Works Department. The bid was from Asphalt Zipper, Inc. in the amount of \$64,990. Member Snipes moved to approve the purchase of an asphalt milling machine from Asphalt Zipper, Inc. in the amount of \$64,990; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDER PROPOSAL FROM T&M ASSOCIATES FOR THREE ARCHES HISTORIC BUILDING RENOVATIONS

Manager Gray said the township has received a memo from Mr. Sullivan at T&M dated April 11th for the Three Arches historic building renovations. This proposal includes the design phase of the renovation project in the amount of \$10,500. The board is asked to consider this quote from T&M for the Three Arches historic building project. Mr. Sullivan said the cost of the proposal for \$4,250 is for engineering and inspection services. The other \$6,250 is for the Historic Architect, Stark Design. The scope of the project is for the roof replacement and any structural repairs needed to the framing, window frames which have peeling paint, mortar repairs on the second floor, and to replace rotting cellar doors. There will be a study done as to whether gutters and leaders are needed on the building. Member Snipes moved to approve the T&M proposal in the amount NTE \$10,500 for the engineering and inspection services and the architecture consultation for the Three Arches historic building renovations; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDER QUOTES FOR ELECTRIC SERVICE AT QUAKER PENN BOAT RAMP

As a result of Hurricane Sandy, the aerial electric service lines within the Manor Lake camping area were downed. T&M has obtained two quotes from contractors to reconnect our service to the new Manor Lake campground service as follows: Mirarchi Brothers, Inc. in the amount of \$5,875 and Omni Electric in the amount of \$10,900. Member Galloway moved to approve the expenditure NTE \$5,875 to Mirarchi Brothers, Inc. for the aerial electric service at the Quaker Penn Park Boat Ramp; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 10 CONSIDERATION OF AGREEMENT FOR THE FLYNN COMPANY AND AUTHORIZATION TO ADVERTISE ORDINANCE FOR VACATION OF A PORTION OF OLD OXFORD VALLEY ROAD

Ms. Gallagher said in late 2010, Mr. Kevin Flynn, the owner of property abutting Old Oxford Valley Road, requested that the township vacate a portion of Old Oxford Valley Road. In order to do that, he filed an action to quiet title in Bucks County. We had the legal description and got the property assessed and then we found out that the legal description was incorrect. We had to get the legal description corrected and then have this property re-

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assessed. The legal description included in the documents in front of the board is correct. There are two documents for consideration this evening. The first document is an agreement into the entry of a consent judgment as to Falls Township and a default judgment as to Doe defendants. This will extinguish any public right of way of Old Oxford Valley Road and that property will revert to the properties owned by Kevin Flynn so he can develop the property for his tenants. The second document is an ordinance which the board will consider to authorize for advertising. If it is passed, it will convey that property to Mr. Flynn. There will be a payment of \$38,000 in consideration for the township's vacation of that road. The road is not used at all. This is approximately 12,000 square feet and is located off of West Cabot Boulevard near the Red Roof Inn. There is a tiny portion that is located in Middletown Township and Middletown Township is handling their portion of it. Member Galloway moved to approve the agreement for entry into the consent order in the matter of the Flynn Company in Falls Township; Member Snipes seconded the motion; all board members were in favor. (5-0) Member Snipes moved to authorize advertisement of the ordinance reconveying access easement to Kevin Flynn individually and Flynn Partnership by successive interest; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 11 MINUTES – MARCH 19, 2013 AND APRIL 2, 2013

Member Galloway moved to approve the minutes for March 19, 2013 and April 2, 2013; Member Snipes seconded the motion; all board members were in favor. (5-0)

ITEM # 12 ENGINEERS REPORT

Mr. Sullivan said the Falls Township Community Park soccer field project is complete. All of the sod has been installed. The South Olds Boulevard culvert was set on April 2nd. Everything is done and final paving should be completed by the end of this week. After paving and striping, the road can be re-opened. The Quaker Penn Park boat ramp is now re-opened. Everything is working well. The road program continues on Winding Way, Hedgerow Drive, Mark Drive, Paul Road, and Louise Drive. We anticipate the entire 2012 Road Program to be completed in mid-July. The Senior Center is still progressing. Most of the work being done is on the inside. Member Dence asked about the Penns Grant tennis court. Mr. Sullivan said the final paving was installed a week and a half ago. We have to wait about 30 days to put the color coat on. After the color coat, it will be open. Member Rocco asked when they can use the soccer fields. Mr. Sullivan said the new soccer field can be used. The one that was just installed with sod will not be ready to be used until the fall. Member Rocco asked who maintains the road to the Quaker Penn Park. Chairman Harvie said Waste Management maintains the road. Chairman Harvie said he had an opportunity to take a tour of the new senior center. They are putting together some grant applications and looking for funding to finish the inside of it. Member Snipes moved to approve the March Engineer's report dated April 12, 2013; Member Dence seconded the motion; all board members were in favor. (5-0)

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ITEM # 13 BILL LIST

Member Snipes moved to approve the bill list in the amount of \$1,941,644.77; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 14 EXECUTIVE SESSION - There was no Executive Session held at this time.

ITEM # 15 MANAGER COMMENT

- A. Member Galloway moved to approve the one-year ET&T telephone maintenance agreement in the amount of \$5,800; Member Snipes seconded the motion; all board members were in favor. (5-0)
- B. Member Galloway moved to approve the 60-day extension to June 21, 2013, for the International Salt land development project; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 16 BOARD COMMENT

Member Galloway – no comment.

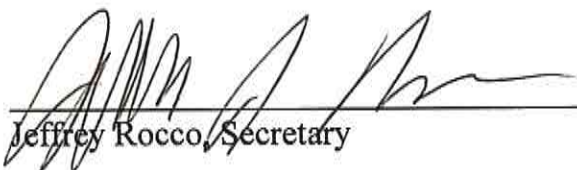
Member Snipes – no comment.

Member Dence – no comment.

Member Rocco – no comment.

Chairman Harvie said Waste Management will hold a Bulk Disposal Day this Saturday, April 20th from 7 – 11 a.m. at the landfill. This is for bulky items, yard waste, and appliances. There is a list on the township website for what is permitted. There is a also a permanent disposal site for e-waste. That site is located on Old Rogers Road in Bristol Township. The drop-off day is each Wednesday from 8 a.m. until 5 p.m.

Member Galloway moved to adjourn the meeting; Member Snipes seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 9:03 p.m.



Jeffrey Rocco, Secretary