

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

JEFFRY E. DENCE, CHAIRMAN	PRESENT
JEFF BORASKI, VICE-CHAIRMAN	PRESENT
JEFFREY ROCCO, SECRETARY	PRESENT
BRIAN M. GALLOWAY, SUPERVISOR	PRESENT
JOHN PALMER, SUPERVISOR	PRESENT

The meeting commenced at 7:06 p.m. with roll call and pledge to the flag. All Board members were present. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Michael Clarke, and Township Engineer Joe Jones.

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

Ms. Toni Battiste thanked Mr. Jones, Manager Takita, and the board for their excellent work in getting the replacement sidewalks and curbs at the Fallsington United Methodist Church. Ms. Battiste said she thinks every year we are dipping into our savings account with the budget. What plans are there to balance the budget without using the savings account? Chairman Dence said we haven't dipped into the savings account. This is the first year in a couple of years we haven't put money into the savings account in next year's budget, but we didn't take money out of it.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 46 MAIN STREET – TMP
13-020-282 – REPLACE FENCE (54 INCHES) FOR CODE
COMPLIANCE FOR THE INGROUND POOL**

Member Galloway moved to approve the Certificate of Appropriateness for 46 Main Street to replace the fence; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 CONSIDER ADOPTING THE 2021 BUDGET AND RESOLUTION
ESTABLISHING THE MILLAGE RATE FOR 2021**

Member Galloway moved to adopt the 2021 Budget as presented; Member Palmer seconded the motion; all board members were in favor. (5-0)

Member Galloway moved to approve Resolution # 20-35, establishing the millage rate for 2021; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER AWARDING WORKERS COMPENSATION CONTRACTS FOR YEAR 2021

Manager Takita said the board is being asked to consider awarding workers compensation contracts for 2021. The renewal contribution for DWCT is \$361,629 which is a \$27,406 reduction from last year's contribution. The overall workers compensation premium for the township is \$413,314 which is \$27,208 less than last year. Member Palmer thanked the team for coming up with the savings. Member Galloway moved to award the Workers Compensation contracts for year 2021; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER RATIFICATION OF DECLARATION OF EMERGENCY AS APPROVED BY THE BOARD OF SUPERVISORS DATED DECEMBER 21, 2020

Member Galloway moved ratify the declaration of emergency; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER AMENDING AGREEMENT BETWEEN THE PUBLIC WORKS DEPARTMENT AND FALLS TOWNSHIP

Manager Takita said there is a modification in the language in the union contract with Public Works in the township. It incorporates language to allow potential members to opt out of the union as required by the U.S. Supreme Court decision. The township is already following this practice. We are basically just putting this into writing. Member Galloway moved to approve the amendment to the agreement between the Public Works Department and Falls Township; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER PROPOSAL FOR THE MUNICIPAL BUILDING GENERATOR

Chairman Dence said the current generator has been causing problems for quite some time. Manager Takita said this proposal is for design of a whole-building emergency generator, including metering of our existing systems. The current set up has been in great need of repair between the metering and the service panels. The total cost, including metering of the existing service, is \$5,150. Member Palmer asked if we would be able to recapture any of this cost since some of this would be used by the police department. Manager Takita said we can look into grants but this is not solely for the police department, it is the entire building. Member Galloway moved to approve the proposal for the municipal building generator in the amount of \$5,150; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDERATION OF AN ORDINANCE AUTHORIZING EXEMPTIONS, DEDUCTIONS, ABATEMENTS AND CREDITS FOR REAL PROPERTY, EARNED INCOME TAX, NET PROFITS, SALES AND USE, BUSINESS OCCUPANCY, AND MERCANTILE AND BUSINESS PRIVILEGE TAXES WITHIN A SPECIFIC GEOGRAPHIC AREA IN FALLS TOWNSHIP, BUCKS COUNTY, DESIGNATED AS A PROPOSED KEYSTONE OPPORTUNITY IMPROVEMENT ZONE (“KOIZ”), IN ORDER TO FOSTER ECONOMIC OPPORTUNITIES, STIMULATE INDUSTRIAL, COMMERCIAL, AND RESIDENTIAL IMPROVEMENTS AND PREVENT PHYSICAL AND INFRASTRUCTURE DETERIORATION WITHIN AREAS OF FALLS TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, UPON CERTAIN TERMS AND CONDITIONS, AND APPROVING A KOZ PAYMENT IN LIEU OF REAL ESTATE TAXES AGREEMENT

Present for this agenda item were: Mr. Mike Meginniss (Begley, Carlin, Mandio), Mr. Brent Miles (NorthPoint), and Senator Steve Santarsiero. Mr. Clarke said at the last two meetings we held, we heard from NorthPoint representatives discussing their potential purchase of the U.S. Steel site and their plans to redevelop the site. They have applied for KOIZ designation which would exempt them from paying certain taxes. The school district granted the KOIZ status on Thursday night and the County will consider it on Wednesday if this board approves it this evening. In front of you is consideration of an ordinance authorizing the KOIZ, also a payment in lieu of real estate taxes, which will have the property owner pay to the township 110% of the property taxes owed for the next 15 years. That amount can be increased each year if we raise taxes. And the third agreement is a resolution recognizing that the Morrisville Municipal Authority will be the owner and the operator of the U.S. Steel potable water, raw water, industrial wastewater, and sanitary sewer facility. When this deal closes, NorthPoint will turn over the sewer and water operations of the site to the Morrisville Municipal Authority. Representatives from NorthPoint are here this evening. Chairman Dence said Falls Township has a bit of a history with this site and the KOIZ in the past. Things have changed since the last KOIZ. There will be a pilot program as well and municipal services agreement for police, fire and dedication of roads. For 11 years, we have heard all kinds of great ideas come through this office and nothing ever came of it. NorthPoint came to town in June. They have a long history of being a well-established company and they will construct warehouses. A lot of jobs will be created because of this. This is a very big investment on their end and they are very serious about what they are doing. Senator Steve Santarsiero is here to help us get some development and improvements to our roads. These are eco-friendly warehouses. There is no more talk about Elcon. This is a good step for Falls Township. Senator Steve Santarsiero said this is a site that is well known to all of us. In 2001, U.S. Steel shuttered its operations at the site. In the last 20 years or so, there had been a succession of ideas. It has been a struggle to find an overall plan for that site which is a good fit and would employ a lot of people. The initial KOIZ was enacted back in 2002 and it expired a couple of years

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ago. At present, there is no opportunity zone at the site. NorthPoint has proposed to build out at the site a large facility of warehouses and distribution centers. As part of their plan, they have requested the opportunity zone be revived. Senator Santarsiero explained the process to revive the KOIZ. This was signed into law by the Governor as Act 114 of 2020. That now exists but it is not the end of the story. This now had to be passed by the three taxing authorities. Bucks County, the Pennsbury School District, and Falls Township also need to enact and approve the KOIZ. Last Thursday the Pennsbury School Board voted 9-0 to do just that. It sounds like it is moving in the right direction with the County on Wednesday. If the board were to approve this tonight, we should be in a good position to have this done for the acquisition between NorthPoint and U.S. Steel to close and to move forward in the New Year with initial construction of new buildings on that site. There are environmental issues that are likely to cost somewhere in the neighborhood of \$40-\$45M to remediate. NorthPoint will take on that work. There are parts of the property where construction can begin soon. Senator Santarsiero said in his view and in the past 20 years, this is the best fit for the site. It will employ over 5,000 in the construction phases of the work and another 8,000 permanent jobs for people working at these facilities. This will help not just Falls Township, but all of Bucks County. Board members thanked Senator Santarsiero for speaking at tonight's meeting. Member Boraski said he agrees that this is a good fit and he hopes this is successful. Senator Santarsiero said there are some exciting things happening in Morrisville with the potential for development and revitalizing downtown Morrisville and if those things happen in conjunction with this, a lot of good things will be happening to our local economy. He is happy to continue to work to bring grant money into Falls Township. Most recently, we were able to do that with some water and sewer grants that were available. He knows roads are always an issue so that is something we need to be focused on too. He looks forward to continuing to work with all of you. Chairman Dence said we talk about the taxes. It is not a lot of money for Falls Township like it is for the school district. What it exists at now is around \$40K. Completely built out and compared to the budget that just passed we are only talking about a couple hundred thousand dollars in taxes. This is not going to change us tax wise in Falls Township. Ms. Toni Battiste asked if the KOZ were 10 or 15 years. Chairman Dence said it is 15 years. Ms. Battiste asked if the KOZ payment more or less than the real estate taxes would be. Chairman Dence said it is 110% so it is more. Member Galloway moved to approve Ordinance # 20-6, authorizing Exemptions, Deductions, Abatements and Credits for Real Property, Earned Income Tax, Net Profits, Sales and Use, Business Occupancy, and Mercantile and Business Privilege Taxes Within a Specific Geographic Area in Falls Township, Bucks County, Designated as a Proposed Keystone Opportunity Improvement Zone ("KOIZ"), in Order to Foster Economic Opportunities, Stimulate Industrial, Commercial, and Residential Improvements and Prevent Physical and Infrastructure Deterioration Within Areas of Falls Township, Bucks County, Commonwealth of Pennsylvania, Upon Certain Terms and Conditions, and Approving a KOZ Payment in Lieu of Real Estate Taxes Agreement; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDERATION OF KOZ PAYMENT IN LIEU OF REAL ESTATE TAX AGREEMENT BETWEEN FALLS TOWNSHIP, NORTHPOINT DEVELOPMENT, INC. AND NP FALLS TOWNSHIP INDUSTRIAL, LLC

Mr. Clarke said this is the payment in lieu of tax agreement. Once approved, NorthPoint will pay the township 110% of the taxes that are owed at this time. We would ask that you approve this agreement pending final confirmation of the numbers. Member Galloway moved to approve a KOZ payment in lieu of Real Estate Tax Agreement between Falls Township, NorthPoint Development, Inc., and NP Falls Township Industrial, LLC, pending final confirmation of the numbers; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 10 CONSIDERATION RESOLUTION RECOGNIZING THE MORRISVILLE MUNICIPAL AUTHORITY AS THE OWNER AND OPERATOR OF THE UNITED STATES STEEL CORPORATION POTABLE WATER, RAW WATER, INDUSTRIAL WASTEWATER, AND SANITARY SEWER FACILITIES, THE DEVELOPER OF THE WASTEWATER TREATMENT FACILITIES ON AND SERVING THE PROPERTIES, AND THE PROVIDER OF ALL WATER AND SANITARY SEWER RELATED UTILITIES SERVING THE PROPERTIES

Mr. Clarke said U.S. Steel has operated the wet utilities at the site. NorthPoint is not in the water and sewer business so they have worked it out with Morrisville Municipal Authority where the operation of the water and sewer utilities will be transferred from U.S. Steel to the Morrisville Municipal Authority. Member Dence said U.S. Steel has a water treatment plant that cannot be fixed and needs replacement. Morrisville Municipal Authority has a water treatment plant that needs to be updated. They have been wanting to build a new plant on that site at U.S. Steel. When NorthPoint came along, that changed some things. The Township of Falls Authority does not have a water and sewer treatment plant. That is also private property down there. This will be beneficial to the Township of Falls Authority and there will be an agreement between the Township of Falls Authority and the Morrisville Municipal Authority with some compensation still being worked out. Ms. Toni Battiste asked if there were some reason Morrisville's new plant failed and that sewage runs into the area that is Falls Township, who will be doing the clean-up costs and who will be responsible for that? Chairman Dence said they clean the water now and it goes into the river. He doesn't think they designed them to fail. Morrisville Water Authority is the owner/operator of the plant so they would be responsible for that. Mr. Clarke said that is correct. Member Galloway moved to approve Resolution # 20-36 recognizing the Morrisville Municipal Authority as the owner and operator of the United States Steel Corporation potable water, raw water, industrial wastewater, and sanitary sewer facilities, the developer of the wastewater treatment facilities on and serving the properties, and the provider of all water and sanitary sewer related utilities serving the properties; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 11 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR ORDINANCE FOR THE WAIVERS OF THE SEWAGE PRETREATMENT STANDARDS

Chairman Dence moved to table agenda item # 11, authorization for advertisement for ordinance for the Waivers of the Sewage Pretreatment Standards; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 12 MINUTES – NOVEMBER 16TH, DECEMBER 7TH, AND DECEMBER 14, 2020

Member Galloway moved to approve the minutes for November 16, 2020, December 7, 2020, and December 14, 2020; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 13 ENGINEERS REPORT

Mr. Jones said there was one new earth disturbance submitted. This is located at 9248 East Tyburn Road to fill in a burrow pit, an open area on that site. They are ready to begin construction. On land development updates, for the MM Metals project, they have started to do steel erection on the aluminum building. The Pettruci tract is a 225,000 sq. ft. warehouse off of Ben Fairless Drive. The Al Rose Steel project is in the industrial park and we had a pre-construction meeting. It is now under construction. As far as ongoing earth disturbances, St. Francis Cabrini Church is nearing completion and is looking good. Pools are at various stages of approval and completion. For ongoing township projects, on the 2020 Road Program we had some weather interfere with our progress on Gilbert Drive and we are all buttoned up for the winter or at least for the holidays. We intend to get back at it as soon as the weather breaks. For Simons Drive all driveways are stoned and all residents have access to their driveways. Member Dence said Mr. Jones mentioned Gilbert Drive. The week before last they were supposed to do the pour which would have given them time to get that done, but everything fell apart quickly. There was an issue with the vendor, some confusion and a lot of emails going back and forth but Mr. Jones handled it very well. Member Galloway moved to accept the Engineers Report; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 14 BILL LIST

Chairman Dence said the bill list is in the amount of \$2,794,489. Member Boraski pointed out that the volunteer fire incentives are also part of this bill list. Thank you to the firefighters and volunteers who respond; stay safe and Happy New Year. Member Galloway moved to approve the bill list for December 21, 2020 in the amount of \$2,794,489; Member Palmer seconded the motion; all board members were in favor. (5-0)

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ITEM # 15 EXECUTIVE SESSION

Mr. Clarke said the board held an Executive Session prior to tonight's meeting to discuss personnel matters and also to consult with him in regard to issues related to the KOZ and the pilot agreement.

ITEM # 16 POLICE DEPARTMENT REPORT

Chief Whitney provided the following updates:

- A. During the month of November, there were 30 out of 60 shifts where manpower was at or below minimum staffing for at least part of the shift. This amounts to 50% of the time in November. This is down from 55% in October. The objective is to be at minimum staffing no more than 25% of the time.
- B. There were 9 overdoses in November. The yearly total is 120. There were nine fatal overdoses for the year. There were 1,474 calls for service for the month of November. At the end of November, we were up to 16,373 calls. There were 214 medical calls in November with 2,019 for the year. There were 85 traffic accidents in November bringing the year-to-date total to 904.
- C. There were 69 arrests in November bringing the year-to-date total to 666. This includes 357 year-to-date drug arrests.
- D. Chief Whitney reported on the November 7, 2020 shooting at the W. Trenton Avenue WAWA and the December 1, 2020 shooting homicide at the Commons of Fallsington Apartments. There was a home invasion robbery and shooting at the Nolan Park Apartments on November 28, 2020. A robbery occurred at the Nolan Avenue 7-11 on November 11, 2020. These are still under active investigation. There was a road rage gun incident at the Commons of Fallsington Apartments on November 17, 2020.
- E. Chief Whitney reported that the Bucks County DA's office found funding to provide a Certified Recovery Specialist to ride with our Police EMTs.
- F. The police will undergo training for a Missing Kids Readiness Program (MKRP). This is a partnership with the National Center for Missing & Exploited Children (NCMEC) to join the MKRP.
- G. Chief Whitney reviewed the goals for 2021. These are: Continue/complete updates to FTPD Policy book; Develop and implement annual training plan; Increase focus on supervision; and Develop strategic plan for FTPD.
- H. Chief Whitney wishes for everyone to have a happy holiday season.

ITEM # 17 MANAGER COMMENT

- A. Member Galloway moved to approve the following escrow releases: \$54,138.56 for Kampi Components; \$95,884.42 for LTL Color Compounders; and 2,633.75 for Mr. Patel (957 Lincoln Highway); Member Palmer seconded the motion; all board members were in favor. (5-0)
- B. Member Galloway moved to approve Resolution # 20-37, extending the guidelines for outdoor sales of food until June 30, 2021; Member Palmer seconded the motion; all board members were in favor. (5-0)

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C. Manager Takita said AirGas mylars are ready for signature.

ITEM # 18 BOARD COMMENT

Member Palmer said he is excited about what we did at the Steel Mill. By bringing in this new development, we were able to make a brown space green again and that is a huge point for all of Falls Township. Member Palmer wishes everyone a good and healthy holiday season.

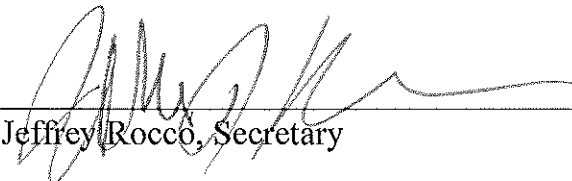
Member Rocco echoes Member Palmer's comments. It is exciting to see new construction. Member Rocco thanked fellow board members. He said 2020 has been quite different for us but we have been very productive. The staff and professionals can have really helped. Thank you and happy holidays.

Member Boraski wishes everyone happy holidays and a healthy New Year. See you in January.

Member Galloway wished everyone a Merry Christmas and a Happy New Year.

Chairman Dence said Merry Christmas and Happy New Year to everyone. He said 2020 has been a challenge. This has been his first year as Chairman and Manager Takita's first year with Mr. Dippolito and Chief Whitney. No one ever thought this is what we would go through. We still took care of a lot of business this year. Normally, after the NorthPoint agreement, we would have shaken hands and had a picture together. The NorthPoint development will be a good thing for Falls Township. There will be a lot of jobs down there. We look forward to working with them.

Member Galloway moved to adjourn the meeting; Member Palmer seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 8:15 p.m.



Jeffrey Rocco, Secretary