

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

<b>JEFFRY E. DENCE, CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFFREY M. BORASKI, VICE-CHAIRMAN</b>	<b>PRESENT</b>
<b>BRIAN M. GALLOWAY, SECRETARY</b>	<b>ABSENT</b>
<b>JOHN W. PALMER, SUPERVISOR</b>	<b>ABSENT</b>
<b>ERIN M. MULLEN, SUPERVISOR</b>	<b>PRESENT</b>

The meeting commenced at 7:00 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Galloway and Member Palmer. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer Joe Jones.

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

Ms. Toni Battiste said Waste Management has applied for a major permit modification for the Fairless landfill lateral and vertical expansion for 64 acres. It will add 4-5 years of additional disposal life. Is this new area zoned for waste disposal? Chairman Dence said yes. Ms. Battiste asked what actions will be taken to reduce the methane that will be generated. She said currently the methane is being burned off by flares which increases air pollution. She asked if they would require additional flares or will they do something about the methane. Chairman Dence said there was talk of building another electric plant, but this project is still 6 years away. We do not regulate this. It is regulated by the DEP. Ms. Battiste believes that since this is being done in Falls Township we should have some say about this. We could perhaps have a rental contract to reserve space for our use for another landfill so they maintain it and we don't have the responsibility of cleaning up after it. Not only are they polluting the air, there is also the odor, additional litter on the roadways, as well as damage to our roads by their trucks. Member Dence said tipping and hosting fees is what we get out of it. Everything in the agreement is from 2003 or 2004. Mr. Clarke said the agreement that was negotiated in 2003 or 2004 does have some after-closure provisions. We are limited as to what can be used on the property. We did not negotiate with the local Waste Management. It was negotiated with Waste Management International in case any issues come up. As long as Waste Management is in business there will be someone who is responsible for the maintenance of the landfills. Chairman Dence said we don't get to tell them yes you can or can't do this. We are not granting them the use of the land. We have no say. It is zoned and it is their land. They were approved by the DEP, regulated by the DEP and had to clean up this land so they can turn it into a landfill.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 16 YARDLEY AVENUE –  
TMP # 13-020-293 – CONSTRUCTION OF A SECOND STORY  
ADDITION**

Member Boraski moved to approve the Certificate of Appropriateness for 16 Yardley Avenue, TMP # 13-020-293 for construction of a second story addition; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 3 NP FALLS TOWNSHIP INDUSTRIAL, LLC – PRELIMINARY &  
FINAL LAND DEVELOPMENT – PHASE II – BUILDINGS 4, 5 & 6  
TMP # 13-051-001**

Mr. Allen Toadvine represents the applicant. Mr. Toadvine said this is Phase II of the project for tax map parcel # 13-051-001, buildings 4, 5 and 6. Those three buildings all exceed 1,000,000 sq. ft in size. There are nine waivers being requested. Member Boraski moved to approve Resolution # 2022-6 for NP Falls Township Industrial, LLC, preliminary and final land development, Phase II, Buildings 4, 5 and 6, TMP # 13-051-001; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 4 CONSIDER RATIFYING THE DECLARATION OF SNOW  
EMERGENCY FOR JANUARY 28, 2022**

Member Boraski moved to ratify the declaration of snow emergency for January 28, 2022; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 5 CONSIDER BIDS FOR THE SALE OF TOWNSHIP SURPLUS  
VEHICLES**

Vehicles were relisted on Municibid as follows. 1) 2005 Tahoe - \$575 was the winning bid received and the appraised value range was \$700-\$900; 2) 2006 F-150 - \$2,700 was the winning bid received and the appraised value range was \$2,500-\$2,800; 3) 2011 Crown Vic - \$2,888 was the winning bid received and the appraised value range was \$1,600-\$1,800. Member Boraski moved to approve the bids for the sale of township surplus vehicles; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 6 CONSIDER PURCHASE OF VEHICLES FOR THE PUBLIC WORKS  
DEPARTMENT**

Manager Takita said included in the 2022 budget, were four 2022 International large dump trucks with upfits. We estimated the trucks to cost \$180,000 each. The quotes were increased to \$194,277 each which is \$14,277 over budget for the cost of each truck. What we would like to do is use the revenue we received from the decommissioned vehicle sold by Municibid in the amount of \$5,000 to offset the shortage of funds and the vendor, U.S. Municipal Supply has offered a deferred payment of \$52,108 until 2023 for the cost of the four snowplow upfits. Member Boraski moved to approve the purchase of four vehicles in

the amount of \$194,277 each for the Public Works Department; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 7 CONSIDER 2022 FEE SCHEDULE FOR CODE, FIRE AND PARKS & RECREATION**

Ms. Gallagher said this is a comprehensive update of the 2022 Fee Schedule for the township. Most of the major changes are in the Parks and Rec section. There was a Pinewood Pool fee overhaul, and the fee is based on the number of family members rather than individuals in a household. We also suspended the Memorial Bench program for 2022 while we continue to replace benches in the park. Member Mullen asked about the difference between family members or household members. Ms. Gallagher said there was concern that applications were being made for potential people being babysat who weren't necessary family members so this would limit it to family members. Member Boraski moved to approve Resolution # 2022-7 for the 2022 Fee Schedule for Code, Fire and Parks & Recreation; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 8 CONSIDER PROPOSAL FOR CONSTRUCTION MANAGEMENT PROFESSIONAL SERVICES FOR THE MUNICIPAL BUILDING RENOVATION PROJECT**

Chairman Dence said we have a design to renovate this building and make it more suitable to an office environment. There has been a lot of patchwork over the years. We came up with the idea to renovate this building. We have a design and a construction management company and have centered on Grace Construction. Member Boraski said we have representatives here from Grace Construction. He asked what the next steps would be and how they will help us out. Mr. Steve Eigenrauch is the Director of Business Development with Grace Construction. He said they will help with providing consulting services from the design bill of phase to the construction to the close out. They will reach out to architectural services as well as civil services to create the design, work through the pricing, estimating, and oversee the construction as well as the close-out documents. Member Boraski asked about the timeframe. Mr. Eigenrauch said they would complete the project from start to finish in 20-22 months. Member Boraski moved to approve the proposal for construction management professional services for the Municipal Building Renovation Project for Grace Construction; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 9 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR LANDSCAPING SERVICES AT TOWNSHIP FACILITIES FOR YEARS 2022, 2023 & 2024**

Member Boraski moved to authorize advertisement for landscaping services at township facilities for years 2022, 2023 and 2024; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 10 CONSIDER ADOPTING ORDINANCE CHAPTER 74 AMENDING THE NON-UNIFORM PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW**

Ms. Gallagher said this is an amendment to the township's pension ordinance. It will establish a disability benefit for all eligible employees under the PMRS system. There is no cost to the township for this. Member Boraski moved to approve Ordinance # 2022-1, Ordinance Chapter 74 amending the Non-Uniform Pension Plan administered by the Pennsylvania Municipal Retirement System pursuant to Article IV of the Pennsylvania Municipal Retirement Law; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 11 CONSIDER STIPULATION TO SETTLE IN APPEAL OF AREPII BC INDUSTRIAL, LLC, TAX PARCEL # 13-003-002-001, DOCKET # 2020-06726**

This is a tax assessment appeal which the school board wishes to settle, and we have to authorize the settlement. This is for AREPII BC Industrial, LLC for property located at 3000 Cabot Boulevard. The property owner appealed its assessment. The Board of Auditors reduced the property assessment from \$323,640 to \$278,020. The taxpayer filed an appeal. The school district has reached a settlement with the property owner effective January 1, 2021 and for the municipal and county taxes the assessment will be reduced from the amount of \$278,020 to \$240,300 and effective January 1, 2022 and going forward, the assessment will be reduced from \$278,020 to \$215,800. If the board agrees to this stipulation, we will need to refund the taxpayer for tax year 2021 in the amount of \$272.34. This has been approved by the county and the school district. Member Boraski moved to approve the tax appeal of AREPII BC Industrial, LLC, tax parcel # 13-003-002-001, Docket # 2020-06726; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 12 CONSIDER HIRING VENDOR FOR LIEUTENANTS EXAM FOR THE POLICE DEPARTMENT**

Member Boraski moved to table this agenda item; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 13 CONSIDER PURCHASE OF BODY CAMERAS FOR THE POLICE DEPARTMENT**

Chief Whitney said this is technology that compliments the in-car cameras and will bring us current with technology in law enforcement. The total for the 5-year contract is \$166,620. It is equipment that will be refreshed at the 3-year mark. Member Boraski asked if there is a camera for every officer. Chief Whitney said there will be a camera for every officer. The reason every officer is assigned their own camera is because each camera is linked to that

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officer. Member Mullen asked when we would see the body cameras and if there would be a roll out. Chief Whitney said that is correct. It would take about 90 days to deliver the product once we place the order. There will be training and policies put in place. We do not currently have anyone using these. With this purchase we will have in-car cameras in each patrol vehicle and every officer will have a body camera. Member Boraski moved to approve the purchase of body cameras in the amount of \$166,620 for the Police Department; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 14 CONSIDER RESOLUTION FOR THE SEWAGE FACILITIES PLANNING MODULE FOR KA AT FAIRLESS, LP**

Member Boraski moved to approve Resolution # 2022-8 for the Sewage Facilities Planning Module for KA at Fairless, LP; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 15 CONSIDER ESCROW RELEASE REQUESTS**

Member Boraski moved to approve escrow releases for TAVO Properties LP in the amount of \$393,513.52 and Alro Steel Corporation in the amount of \$3,141,232.05; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 16 CONSIDER DONATION REQUESTS FOR VARIOUS ORGANIZATIONS**

Member Boraski moved to ratify the donation to the St. Patrick's Day Parade in the amount of \$6,000 and approve donation requests to the American Legion Memorial Day Parade, Levittown Continental, Fairless Hills Athletic Association, Falls Soccer Club, Levittown American Baseball Club, Historic Fallsington Day for \$6,000 each and a donation to Towns Against Graffiti (T.A.G.) in the amount of \$5,000; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 17 APPOINTMENTS TO VARIOUS BOARDS, COUNCILS, COMMITTEES AND COMMISSIONS**

Member Boraski moved to appoint Robert McTeague to the Historic Architectural Review Board for a Registered Architect Qualified Building Contractor; Member Mullen seconded the motion; all board members were in favor. (3-0) Member Boraski moved to move our alternate which is Robert McTeague, to fill the remainder of the Planning Commission spot vacated by Mr. Crohe; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 18 CONSIDER PROPOSAL FROM IMR DIGITAL FOR SCANNING**

Manager Takita said this proposal is for a bulk scanning project that would include approximately 720,000 images with most of these being in the Code Department and Fire

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Marshal's Office. This is a budgeted item in the amount of \$86,400. Member Mullen asked how far back these records go. Manager Takita said they go back as far as the records in the paper file. The process will meet the archive requirements so once they are digitized, we will be able to destroy certain documents. Member Boraski moved to approve the proposal from IMR Digital in the amount of \$86,400; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 19 MINUTES – JANUARY 17, 2022**

Member Boraski moved to approve the minutes for January 17, 2022; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 20 ENGINEERS REPORT**

Mr. Jones said there were two new land developments submitted. One is for the Morrisville Municipal Authority Wastewater Treatment Plant for a minor building addition and the other one is the Hiossen Inc. site and they propose a building additional as well. We had four new earth disturbance applications submitted and two new cell tower applications submitted. The MLH Explorations project is beginning construction on the greenhouse. MM Metals, J.G. Petrucci and Alro Steel are all substantially complete. The KA at Fairless Hills is under construction and Lincoln Storage is under way. NorthPoint Phase 1 building 3 is under construction. For Raising Canes, we had a preconstruction meeting. Levittown Car Wash was approved but since then they made some changes to their building dimensions so that triggered another zoning variance. That will come back as an amended final plan. The Mission BBQ is under mylar review. The wastewater treatment plant is under review and they will likely be in front of the Planning Commission next month as well as the Hiossen land development. Member Boraski moved to approve the Engineers Report; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 21 BILL LIST**

Member Boraski moved to approve the bill list for February 23, 2022 in the amount of \$3,066,231; Member Mullen seconded the motion; all board members were in favor. (3-0)

**ITEM # 22 EXECUTIVE SESSION**

Mr. Clarke said an Executive Session was held on February 9, 2022, to discuss contract negotiations. An Executive Session was held prior to tonight's meeting to discuss contract negotiations, personnel, potential litigation and litigation.

**ITEM # 23 POLICE DEPARTMENT REPORT**

Chief Nelson Whitney presented highlights from the January Police Report.

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- There were 1,523 calls for service. There were 5 overdoses and 106 vehicles crashes.
- On January 26<sup>th</sup>, there was an aggravated assault in North Park where a man was shot in the leg with an arrow. There was an arrest made in this case.
- On February 16<sup>th</sup>, there was a fatal car crash on Lincoln Highway at the garden center.
- We ran a Superbowl DUI that led to an arrest. This was funded by a grant from the PennDOT Aggressive Driving Wave Program.
- We had two more families who applied for memorial markers. These markers are a way to honor a loved ones who were lost in car crashes in the township.
- The Police Department is underway with the HAAS Safety Alert System. We have 7 vehicles outfitted with them.
- We received a Delaware Valley Trust Risk Management Innovation Award for our use of the blueprint system and the HAAS Alert in our patrol fleet.
- Chief Whitney reviewed recent training in the Police Department.
- The Pennsbury School District has contracted with a company called Bus Patrol to outfit their fleet of buses with video cameras. They will issue electronic citations for school bus violations. It is in the latter part of the planning stages. The ticket will be electronically generated, sent to us for review, then gets filed. The Police Department will get \$25, the Pennsbury School District gets \$25 and the rest goes to the vendor. Member Boraski would like to see how this progresses, talk more as a board about using that \$25 to keep continuing it and use it for the safety of the children.
- Chief Whitney reminded everyone to drive safely. Please be calm and respectful of other drivers.
- Member Mullen asked if we no longer run the D.A.R.E. program. Chief Whitney said the D.A.R.E. program was phased out by Pennsbury and replaced by a program called STEPS. Between COVID and losing training personnel, we no longer continue in that program.
- Chairman Dence asked about the Memorial Marker Program. Chief Whitney said the Florida Department of Transportation has a program. To their knowledge, no one else in the county has picked it up yet. Chairman Dence said it is surprising it is not a nation-wide program. Chief Whitney hopes that seeing the sign on the road reminds people to be safe on the road and slow down.

### **ITEM # 24 MANAGER COMMENT**

Manager Takita said the 2022 Sweeping Schedule has been posted. On the days your street is scheduled to be swept, please do not park on the street between 7 a.m. and 5 p.m. The Bucks County Department of Health will be starting its 2022 mosquito program. Additional information on this program will be posted on social media as well as the township website.

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**ITEM # 25 BOARD COMMENT**

Member Mullen – No comment.

Member Boraski – No comment.

Chairman Dence said the St. Patrick's Day Parade is returning to Bucks County on Saturday, March 12th. It is a great event and all the restaurants will be having festivities.

Member Boraski moved to adjourn the meeting; Member Mullen seconded the motion all board members were in favor. (3-0) The meeting was adjourned at 7:55 p.m.

  
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Brian Galloway, Secretary