

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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| JEFFRY E. DENCE, CHAIRMAN | PRESENT |
| ERIN M. MULLEN, VICE-CHAIRMAN | PRESENT |
| BRIAN M. GALLOWAY, SECRETARY | PRESENT |
| JEFFREY M. BORASKI, SUPERVISOR | PRESENT |
| JOHN W. PALMER, SUPERVISOR | PRESENT |

The meeting commenced at 7:00 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, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones.

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

No one signed in for Public Comment.

**ITEM # 2 AIR LIQUIDE ELECTRONICS U.S., LP – PRELIMINARY & FINAL
LAND DEVELOPMENT – 19 STEEL ROAD WEST – TMP #13-047-159
& #13-047-160**

Mr. Mike Coyle is the Engineer for the project. He said this property is located in the HI district and includes four one-story buildings. There is a 14,000 sq. ft. admin building, a 17,000 sq. ft. production building, a parking lot expansion to include 35 spaces and a two-story Emergency Response Team Command Center and Maintenance Shop. Mr. Coyle said they also have a couple of modular buildings. The reason for this expansion is because Air Liquide is involved in the microchip industry and they are looking to expand and increase gas production. There are several improvements to the on-site drainage and expansion of the storm water basin. There are no residential properties close by. Mr. Jones said they have reviewed the project multiple times. Member Palmer asked if they would be providing any additional jobs. Mr. Bob Kerprich (Director of Operations for the site) said they anticipate about 20-40 future jobs. Member Galloway moved to approve Resolution # 2024-11, preliminary and final land development for Air Liquide Electronics U.S., LP, 19 Steel Road West, TMP #13-047-159 & #13-047-160; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 STEVEN & JEAN SPERANZA – 347 AND 355 AUSTIN DRIVE –
MINOR SUBDIVISION – TMP #13-007-048 & #13-007-049**

Mr. Heath Dumack (Dumack Engineering) represents Mr. and Mrs. Speranza who are looking to have a lot line change. Chairman Dence moved to approve Resolution # 2024-12, minor subdivision for Steven & Jean Speranza, 347 and 355 Austin Drive, TMP #13-

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007-048 & 13-007-049; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CORCO CHEMICAL CORP. – MINOR SUBDIVISION – 299 CEDAR LANE TMP #13-013-013-001

Mr. Michael Meginniss (Begley Carlin Mandio) and Mr. Eric Clase (Gilmore & Associates) represent the applicant. This is for a minor subdivision of the Corco Chemical property. The current site is approximately 5.81 acres and it is very oddly shaped. They propose to convey just under 6,000 sq. ft. to KPK Development which abuts the property. The end result will be three conforming looking lots. There will be the un-improved portion where there is no intended development right now, the 6,000 sq. ft. being conveyed to KPK as part of the subdivision and lot line change and then the balance of the Corco site which will remain. Member Galloway moved to approve Resolution # 2024-13, minor subdivision for Corco Chemical Corp., 299 Cedar Lane, TMP #13-013-013-001; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 5 NP FALLS TOWNSHIP INDUSTRIAL, LLC – LOT 20 – AMENDED PRELIMINARY & FINAL LAND DEVELOPMENT – 801 DEAN SIEVERS PLACE – TMP #13-051-001-005

Mr. Mike Meginniss (Begley Carlin Mandio), Mr. Tim Casey (Gilmore & Associates) and Mr. Jeremy Michael (NorthPoint) were present for the applicant. Mr. Meginniss said this is building 20. The subject property was before the board for final approval about five months ago. Since the date of the original approval, NorthPoint has been able to engage with a potential tenant to occupy the site. As part of that, it necessitated a split of the building. There will be two separate structures - one of which is 126,000 sq. ft. and one of which is 125,000 sq. ft. One building is for warehousing and the other building is for a manufacturing operation. Building 2 has a small storm water design alteration. The utilities waivers and the balance of everything else remains unchanged. At this time, they are re-applying for amended preliminary and final approval. Member Galloway moved to approve Resolution # 2024-14, amended preliminary & final land development for NP Falls Township Industrial, LLC – Lot 20, 801 Dean Sievers Place, TMP # 13-051-001-005; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDERATION OF TERMINATION OF EMPLOYEE 050216 (14) AND AUTHORIZATION OF TOWNSHIP MANAGER TO TAKE ALL NECESSARY ACTION

Mr. Clarke said the Board is aware of this personnel matter. Since this is a personnel matter, the Board has been briefed by his office and Labor Counsel. Member Galloway moved to approve the termination of employee 050216 (14) and authorization of Township Manager to take all necessary action; Member Mullen seconded the motion. Ms. Toni Battiste asked if there were a Labor Management Agreement that the Township has with its employees that specifies the discipline and removal process. If there is one, she would like

to know what it entails. It should be a matter of record that someone is asking about this. Ms. Battiste would like to know if the Human Resource Department is consulted before a termination is issued and if any lawyers are consulted. If so, which lawyers are consulted? Her concern is that the discipline process is not being followed. The legal advice being given is not sound or appropriate. It seems like there have been an unusual amount of termination issues lately, some of which have ended in lawsuits. A vote was taken on the motion. All board members were in favor. (5-0)

ITEM # 7 CONSIDERATION OF PROPOSAL FROM IEI GROUP FOR ADDITIONAL SERVICES FOR THE MUNICIPAL BUILDING RENOVATION

This is for additional services that were due to unforeseen circumstances. Member Palmer asked if we have the budget for this. Manager Takita said yes, we have a contingency line item and this is part of that. Member Galloway moved to approve the proposal from IEI Group in the amount of \$17,662.50 for additional services for the Municipal Building Renovation; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDERATION OF TRAFFIC SIGNAL CONTROL PROPOSAL FROM ARMOUR & SONS ELECTRIC, INC.

Mr. Lawson said the Township uses Armour & Sons for our traffic signals for our emergencies. Whatever we cannot do in-house we ask Armour & Sons to do. Chairman Dence asked who picked the holidays on the list. Mr. Lawson said he assumes they go through the Co-Stars contract if they are Federal holidays. Member Galloway moved to approve the proposal from Armour & Sons Electric, Inc. for traffic signal control, as presented and subject to final approval by the Solicitor's Office; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDERATION OF VEHICLE PURCHASE FOR THE PUBLIC WORKS DEPARTMENT

Mr. Lawson said the Public Works Department is looking to purchase a Ford bucket truck (cab and chassis) from Fred Beans in the amount of \$58,245 and upfitting from Mobile Lifts in the amount just under \$152,000. This is a Co-Stars purchase and is a budgeted item. Member Galloway moved to approve the Ford truck from Fred Beans and upfitting from Mobile Lifts, as presented; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 10 CONSIDERATION OF STONE & ASPHALT BIDS FOR 2024-2025

Member Galloway moved to approve the Stone and Asphalt bids for 2024-2025 as presented and subject to review by the Solicitor's office; Chairman Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 11 CONSIDERATION OF AUTHORIZATION FOR ADVERTISEMENT FOR BIDS FOR TREE TRIMMING & REMOVAL OF TREE SERVICES

Member Galloway moved to authorize advertisement for bids for tree trimming and removal of tree services; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 12 CONSIDERATION OF RESOLUTION FOR THE DCNR GRANT FOR THE PLAYGROUND FOR THE FALLS TOWNSHIP COMMUNITY PARK

Mr. Brian Andrews said they are in the process of applying for the DCNR Grant. Part of that checklist is the requirement that the Township commits to a 50% match. Member Galloway moved to approve Resolution # 2024-15 for the DCNR Grant for the playground for the Falls Township Community Park; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 13 CONSIDERATION OF STIPULATION TO SETTLE A TAX ASSESSMENT APPEAL FOR NM HB, LLC – 2 CANAL ROAD – TMP #13-047-126-003 – DOCKET # 2023-07802

Mr. Clarke said this is a stipulation to settle a tax assessment appeal that was brought forth by the Pennsbury School District in which the County and Township joined in. The property is located at 2 Canal Road in Falls Township. The owner of the property is NM HB, LLC and Huebach Limited. For the tax year beginning January 1, 2024, the property taxes shall be increased from \$172,970 to \$440,000. This will increase the assessment by \$267,030. Member Galloway moved to approve the stipulation to settle a Tax Assessment Appeal for NM HB, LLC, 2 Canal Road, TMP #13-047-126-003, Docket # 2023-07802; Chairman Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 14 CONSIDERATION OF STIPULATION TO SETTLE A TAX ASSESSMENT APPEAL FOR NM HB, LLC – 99 NEWBOLD ROAD – TMP #13-047-034-001 – DOCKET # 2023-07802

Mr. Clarke said this is a stipulation to settle a tax assessment appeal that was brought forth by the Pennsbury School District in which the County and Township joined in. The property is located at 99 Newbold Road in Falls Township. The owner of the property is NM HB, LLC and Huebach Limited. For the tax year beginning January 1, 2024, the property taxes shall be increased from \$185,400 to \$540,000. This will increase the assessment by \$354,580. Member Galloway moved to approve the stipulation to settle a Tax Assessment Appeal for NM HB, LLC, 99 Newbold Road, TMP #13-047-034-001, Docket # 2023-07802; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 15 CONSIDERATION OF ESCROW RELEASE REQUEST

Member Galloway moved to approve the escrow release to TrenchTech in the amount of \$72,659.06; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 16 CONSIDERATION OF APPOINTMENT TO THE CABLE ADVISORY BOARD

There was no action on this agenda item.

ITEM # 17 CONSIDERATION OF APPOINTMENT TO THE DISABLED PERSONS BOARD

There was no action on this agenda item.

ITEM # 18 CONSIDERATION OF TO THE ENVIRONMENTAL ADVISORY BOARD

There was no action on this agenda item.

ITEM # 19 CONSIDERATION OF APPOINTMENT TO THE HISTORIAL ARCHITECTURAL REVIEW BOARD

Chairman Dence moved to appoint Mr. William Crawford to the Historical Architectural Review Board; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 20 CONSIDERATION OF APPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION

There was no action on this agenda item.

ITEM # 21 CONSIDERATION OF APPOINTMENT TO THE NEIGHBORHOOD TRAFFIC ADVISORY COMMITTEE

Chairman Dence moved to appoint Mr. Robert Leary to the Neighborhood Traffic Advisory Committee; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 22 CONSIDERATION OF APPOINTMENT BY RESOLUTION TO THE PLANNING COMMISSION

Chairman Dence moved to approve Resolution # 2024-16 to appoint Ms. Mary Leszczuk to the Planning Commission; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 23 CONSIDERATION OF APPOINTMENT TO THE POLICE PENSION COMMITTEE

Chairman Dence moved to appoint Ms. Suzanne Hannigan to the Police Pension Committee; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 24 CONSIDERATION OF APPOINTMENT BY RESOLUTION TO THE ZONING HEARING BOARD

There was no action on this agenda item.

ITEM # 25 MINUTES – FEBRUARY 26, 2024 & MARCH 12, 2024

Member Galloway moved to approve the minutes from February 26, 2024; Member Mullen seconded the motion; all board members were in favor. (5-0) Member Galloway moved to approve the minutes from March 12, 2024; Member Mullen seconded the motion; all board members were in favor with the exception of Chairman Dence and Member Boraski who both abstained as they were absent from the meeting. (3-0-2)

ITEM # 26 ENGINEERS REPORT

Mr. Jones said last month we received one new land development and seven new earth disturbance permit applications. Mr. Jones provided updates according to his report. Danja Tract will be before the Board next month for allocation of space land development. Levittown Lanes was a Zoning review that we did so the applicant can proceed to the Zoning Hearing Board. The Pennwood Crossing force main project has been before the Township staff multiple times. Mr. Jones would like to present their ideas for the Martin's Creek streambank restoration at the next Workshop Session that the Board has as well as their ideas and bid numbers for the Fallsington retaining wall. Lake Caroline is in FEMA's hands. The applicant's engineer and the County Engineer submitted to FEMA but he has not yet heard whether or not FEMA's has approved their calculations.

ITEM # 27 BILL LIST

Member Galloway moved to approve the bill list in the amount of \$3,431,356.57; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 28 OBERMAYER REBMANN MAXWELL & HIPPEL, LLP BILL LIST

Member Galloway moved to approve the Obermayer Rebmann Maxwell & Hippel, LLP bill list in the amount of \$50,050.81; Member Mullen seconded the motion; all board members were in favor with the exception of Chairman Dence and Member Boraski who both voted no. (3-2)

ITEM # 29 JONES ENGINEERING ASSOCIATES BILL LIST

Member Galloway moved to approve the Jones Engineering Associates bill list in the amount of \$356,648.95; Member Boraski seconded the motion; all board members were in favor with the exception of Chairman Dence who abstained. (4-0-1)

ITEM # 30 EXECUTIVE SESSION

Mr. Clarke said an Executive Session was held prior to tonight's meeting to discuss several personnel items and receive information from the Manager and Assistant Manager in regard to two items that have come before the board. No votes were taken and no deliberations occurred. The Board received information from the Solicitor's office regarding settlement of a lawsuit against the Township – Michael Moore vs Falls Township and two Township Police Officers. This was a settlement by our insurance carrier. All of the money that is being paid, is paid by our insurance carrier. The Township does not need to approve this. There was some confusion as to whether or not we needed to vote on this in public. We did not. We are not settling this matter. The insurance company settled it. The Board also received information about an uninsured motorist claim that had been settled. There was also a discussion regarding potential litigation.

ITEM # 31 MANAGER COMMENT

There will be upcoming events as follows: The Spring Yard Waste Clean Up is scheduled for April 13th. Bulk Disposal Day is scheduled for April 20th. The Prescription Drug Take Back and the Shredder Event will both be held on April 27th.

ITEM # 32 BOARD COMMENT

Member Galloway said there was a tragedy in the township. Our hearts go out to the families of the victims.


Member Boraski – no comment.

Chairman Dence echoed Member Galloway's comments.

Member Mullen thanked Chief Whitney, all of the responding police officers and the neighboring municipalities for the support we received.

Member Palmer also echoed earlier comments.

Member Galloway moved to adjourn the meeting; Member Mullen seconded the motion. The meeting was adjourned at 7:44 p.m.



Brian Galloway, Secretary

