

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

<b>ROBERT HARVIE, JR., CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFFRY DENCE, VICE-CHAIRMAN</b>	<b>PRESENT</b>
<b>JEFFREY ROCCO, SECRETARY-TREASURER</b>	<b>ABSENT</b>
<b>JEFF BORASKI, SUPERVISOR</b>	<b>PRESENT</b>
<b>BRIAN GALLOWAY, SUPERVISOR</b>	<b>ABSENT</b>

The meeting commenced at 7:05 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Galloway who had a family commitment and Member Rocco who was at work. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones.

**AWARD CEREMONY FOR THE FALLS TOWNSHIP POLICE DEPARTMENT**

Chief Wilcox said each year the police department responds to anywhere between 19,000 and 20,000 calls per year. The awards committee has made recommendations for 17 awards to be presented this evening. Chief Wilcox welcomed Sheriff Milt Worrall, his Deputy, and Officer Bo Luna to the meeting.

- 1) On May 11, 2012, Officer Killeen was responding to a burglary alarm when his patrol unit was struck. Officer Killeen was severely injured inside the vehicle. Fuel began to leak onto the roadway and fire ignited underneath the vehicle. Corporal Steven Langdon and Officer Bruce Rhodunda responded. The officers worked to pull back the metal door from the vehicle and rescue Officer Killeen. Corporal Steven Langdon and Officer Bruce Rhodunda received the Police Life Saving Award.
- 2) There was an attempted suicide on July 23<sup>rd</sup>. A distraught male subject self-medicated with alcohol and pills and contemplated suicide. He wanted officers to end his life. The responding officers equipped themselves with less lethal tools. A Police Unit Citation Award is awarded to: Corporal Victoria Crosier, Corporal David Ahrens, Detective Catherine Coffman, retired Officer Howard Shook, Officer John Yeager, Officer Jonathan Caesar, Officer Richard Krotz, Officer Matthew Killeen, and Officer Stephanie Metterle.
- 3) On April 24, 2016, officers responded to Sweetbriar Road for report of a 2-year old in cardiac arrest. Through investigation, it was determined that the child was the victim of blunt-force trauma. The child's mother was arrested and convicted of third-degree homicide and sentenced to 12 to 40 years in state prison. Detective Catherine Coffman is awarded the Police Meritorious Service Commendation.
- 4) On June 3, 2016, officers were dispatched to an armed robbery homicide at the Pennsbury Pharmacy. One of the robbers was shot and killed by the pharmacist inside of

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the business. Police units responded. The driver of the vehicle in the parking lot was apprehended and arrested without incident. The following officers are awarded a Police Unit Citation. Sergeant Bryan White, Corporal Michael Callahan, Officer Jonathan Caesar, Officer Edward Elmore, Bucks County Sherriff Deputy Mitchell, Deputy Kessler, and Deputy Parker.

5) On November 11, 2016, a child abuse investigation was initiated which resulted in collection of thousands of items of evidence. The evidence was so voluminous that it took months of effort to organize and catalog it all. William Thomas was arrested, convicted, and will serve 60 to 120 years in prison. Receiving the Police Unit Citation are: Sergeant Christopher Clark, Sergeant Anthony Fanelli, Detective Matt Tomcho, and Administrative Assistant Renee Thompson.

6) On May 22, 2016, police responded to an unconscious fall victim. They found a clinically dead female and performed CPR until pulse and breathing were re-established. Receiving the Police Life Saving award are: Corporal Gerard Piasecki, Corporal Nicholas Pinto, and Officer Nicole Diviny.

7) On April 13, 2017, Officer Stephanie Metterle observed a vehicle on Lincoln Highway with expired tags. The driver initially failed to stop. Officer Metterle was able to get the driver to stop when other officers arrived on the scene. The driver was instructed to step out of the vehicle and perform a sobriety test. The driver attempted to pull a loaded 9mm gun from his waistband. He struggled with officers until he was taken into custody. The following officers are awarded the Police Unit Citation Award: Sergeant Martial Belinsky, Corporal Nicholas Pinto, and Officer Stephanie Metterle.

8) A drive-by shooting occurred on September 12, 2017 at the Pennwood Crossing Clubhouse. An unknown shooter shot multiple shots into the occupied office at the park. A perimeter was quickly established along with the incident command by Lieutenant Nelson Whitney and Sergeant Bryan White. Detectives responded and patrol units canvassed the area. The shooter was located in G section of Pennwood Crossing. Armed with a loaded handgun and expressing suicidal intentions, the subject was physically subdued by Sergeant White and Sergeant Fanelli and Morrisville Officer Bo Luna. The following officers are awarded the Police Unit Citation Award: Lieutenant Nelson Whitney, Sergeant Anthony Fanelli, Sergeant Bryan White, Corporal Victoria Crosier, Corporal Gerard Piasecki, Officer Matthew Killeen, Officer Mike Parnes, Officer Jim Szamboti, Officer Bruce Rhodunda, Officer Richard Krotz, Detective Catherine Coffman, and Detective Stephen Reeves. A Meritorious Award is given to Sergeant Bryan White, Sergeant Anthony Fanelli, and Officer Bo Luna.

9) On September 13, 2017, police responded to a residence for report of a vehicle driven into a house. The suicidal driver drove into the house that was occupied by their estranged spouse. The driver suffered lacerations into the arteries of his arm. Police applied tourniquets and stopped him from bleeding to death. The subject physically fought against the efforts of the officers. The following officers are awarded the Police Unit Citation Award: Lieutenant Nelson Whitney, Officer George Thomas, Officer David Gold, Officer Brian Fisher, and Officer Ryan Murphy.

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10) On May 4, 2017, officers responded to a heroin overdose death. The investigation led to the arrest and conviction of drug dealer for drug delivery resulting in death. The following officers are awarded the Police Unit Citation Award: Sergeant Raymond Fanelli, Detective Catherine Coffman, Detective Stephen Reeves, Detective Dennis O'Connell, Detective Gregory Small, Detective Matt Tomcho, and Detective John Vella.

11) On January 21, 2018, police responded to a commercial burglary in progress at Cabot Boulevard. An earlier burglary at the same location resulted in theft of \$27,000 of high-end construction supplies. Responding officers entered the site and apprehended two subjects and later identified the third suspect. The following officers are awarded the Police Unit Citation Award: Sergeant Anthony Fanelli, Officer Bruce Rhodunda, Officer Jeffrey Omlor, and Officer Christopher Iacono.

12) On January 29, 2018, police were called to investigate a report of an abandoned 911 call in Fairless Hills. Officer Szamboti found a vehicle running with the exhaust going into the vehicle. He smashed the window and pulled the unconscious occupant to safety. Receiving the Police Life Saving Award is: Officer James Szamboti.

13) On May 3, 2018, there was an attempted carjacking at the Sunoco Gas Station on New Falls Road. The mother was pumping gas and yelled that her child was in the car. She grabbed the suspect who fled on foot. Officer Elmor and his K-9 Monty found the suspect in a drainpipe and he was taken into custody. Officer Edward Elmor and his K-9 Monty are awarded the Police Meritorious Service Commendation.

14) There was a drug investigation in the Fall of 2018. Members of the Falls Township detective unit were involved in a long-term drug investigation involving multiple jurisdictions in two states. The investigation lead to eleven subjects being arrested, the seizure of 2,510 bags of heroin, and the forfeiture of a motor vehicle. The following officers are awarded the Police Unit Citation Award: Sergeant Raymond Fanelli, Detective Catherine Coffman, Detective Dennis O'Connell, Detective Stephen Reeves, Detective Gregory Small, Detective Matt Tomcho, and Detective John Vella.

15) There was an armed robbery on January 7, 2012. Corporal Victoria Crosier was doing surveillance in the area of Breezy Acres due to increased criminal activity in the area. She followed a robbery subject and took him into custody. Receiving the Police Unit Citation Award is: Corporal Victoria Crosier, Corporal Michael Callahan, and Officer Jeffrey Rhodunda.

16) Units responded to a medical emergency on March 9, 2019 for report of a women in childbirth. The child was born with no pulse and was not breathing. Officers responded and medics from the Levittown Fairless Hills Rescue Squad performed CPR. Receiving the Police Life Saving Award is: Corporal Nicholas Pinto and Officer Ronald MacPherson.

17) On April 4, 2019, officers were dispatched to a residence in Fairless Hills for an attempted homicide after a 10-year old girl called 911 to report that a male subject was choking her sister. Sergeant Christopher Clark and Officer James Szamboti found the front door locked and screams were coming from inside the home. Officers kicked down the door, entered the home, tackled the male subject, and took him into custody. The quick

actions of both officers saved the woman's life. Receiving the Police Meritorious Service Commendation is: Sergeant Christopher Clark and Officer James Szamboti.

**PRESENTATION FROM THE FALLS TOWNSHIP POLICE DEPARTMENT TO THE STUDENTS WHO PARTICIPATED IN THE "CHIEF FOR THE DAY" PROGRAM**

Chief Wilcox welcomed everyone to the meeting. There are six schools that are represented by this program. They are Eleanor Roosevelt, Fallsington, Manor, Penn Valley, Oxford Valley, and Penn Ryn. This program was started three years ago. We wanted to give students a chance to experience what the police department does. Chief Wilcox explained what the "chiefs" do during their day at the police department. Chief Wilcox thanked Judge Vislosky, everyone in the police department, Mrs. Seiler, the board, and the parents. Certificates were presented to the children who participated.

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

No one signed in for public comment.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 3 S. MAIN STREET  
TMP # 13-020-311-001 – RE-ROOF MAIN PORTION OF THE  
GAMBREL HOUSE**

Member Dence moved to approve the Certificate of Appropriateness for 3 S. Main Street, TMP # 13-020-311-001 to re-roof the main portion of the Gambrel House; Member Boraski seconded the motion; all board members were in favor. (3-0)

Member Dence moved to waive the fees for the re-roofing work; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 3 CONSIDER AWARDED TOWNSHIP INSURANCE POLICY FOR  
THE PERIOD OF JUNE 18, 2019 TO JUNE 18, 2020 (PROPERTY,  
GENERAL LIABILITY, AND PUBLIC LIABILITY)**

Manager Gray introduced this item. Last year's insurance policy cost \$311,254. If we choose Travelers this year, it would be a 5% increase over last year. This year's premium is \$327,195. Ms. Ann Smith from Travelers deals with the day-to-day servicing and marketing of the township's insurance. The major reason for the increase is driven by the township's loss experience. The property loss experience over the last three or four years was about 194%. The total losses for the property was about \$130,000. Your property premium is fairly low. What Travelers will do is spread that premium over other lines so that your premium can handle that loss experience. Ms. Smith said the township has five open liability claims; employee-related practices, slip and falls - five of them totaling \$226,000. That causes Travelers to have some concern. They did approach a new

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market to Pennsylvania for the public sector business and they came in fairly close. They also marketed four other carriers that are big public sector writers and they were much higher than Travelers. Member Dence moved to open public comment; Member Boraski seconded the motion; all board members were in favor. (3-0) Ms. Toni Battiste asked if this policy would cover any legal issues or lawsuits involving Elcon. Chairman Harvie said no. This deals with things like property losses such as police cars that are totaled in accidents or any vehicles that may be involved in an accident. It is similar to property insurance you may have on your house. Ms. Battiste asked if we have any other insurance that covers Elcon. Chairman Harvie said no; that is not really something covered by insurance. Member Dence moved to close public comment; Member Boraski seconded the motion; all board members were in favor. (3-0) Member Dence moved to award the township's insurance policy for this coming year, June 18, 2019 to June 18, 2020 to Travelers in the amount of \$327,195; Member Boraski seconded the motion; all board members were in favor. (3-0)

### **ITEM # 4    CONSIDER FINALIZING THE AWARD FOR BID FOR THE QUAKER PENN PARK ELECTRICAL PROJECT**

Manager Gray said the 30-day responsible contractor review period will be completed after tonight's board meeting. In order to continue the process, the board is requested to allow the township manager to finalize the award of the contract contingent upon the successful outcome of Jones Engineering's responsible contractor review. Member Boraski moved to grant the manager the authority to finalize the bid, contingent upon the successful outcome of Jones Engineering's responsible contractor review; Member Dence seconded the motion; all board members were in favor. (3-0)

### **ITEM # 5    CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 209**

Ms. Gallagher said at the end of 2018, a comprehensive zoning re-write was passed. We found some things that needed to be corrected. A lot of this is just cleaning up language in the existing ordinance. The big change is the notice given to neighbors regarding Zoning Hearing Board applications. Under the prior version of the code, for non-residential applications, neighbors were notified within 1/4 mile and for residential applications, it was contiguous parcels. We changed all applications to be within 500 feet. That meant there would be a significant number of notifications for minor applications such as driveways. We recommended going back to the prior notice requirements which allow the township to require greater notice for any applications that it deems appropriate. Member Dence moved to approve Ordinance, # 19-2 amending Chapter 209; Member Boraski seconded the motion; all board members were in favor. (3-0)

### **ITEM # 6    MINUTES – MAY 20, 2019**

Member Boraski moved to approve the minutes from May 20, 2019; Chairman Harvie seconded the motion; all board members were in favor. (3-0)

**ITEM # 7 ENGINEERS REPORT**

Mr. Jones said there is one application for new land development (MLH Exploration). This should be the final amendment to provide a large greenhouse on the site. There is one new earth disturbance permit. The KPK Development project wants to expand the operations of the Koretski land reclamation across Penn Valley Road. We have had three cell tower applications submitted for various antenna replacements. There are 15 ongoing land development projects as identified in the report and 27 earth disturbance projects with ongoing updates as indicated in red text. For township projects, in regard to the South Olds Boulevard culvert, we met with a representative from Bucks County who gave us a positive response to include some improvements at the golf course. We feel this will make us more favorable in terms of competitiveness for the grant. A cost-benefit analysis and has been submitted to PEMA. We are working on the grant process. The 2018 Road Program is wrapping up. Bustleton Services is working on topsoil, seeding, and sod. There are a couple more tweaks on driveways. Some residents have contracted with the contractor to have work done. We expect to be wrapped up in two weeks. For the 2019 Road Program, we are still waiting for the last survey. Once we get that, we will meet with residents. We target late July for going out to bid. Member Dence asked about the cell towers. Are these replacing existing antennas on existing cell towers? Mr. Jones said yes, these are existing cell towers where they just changing antennas. Member Dence asked when we talk about the golf course, are we just talking about the flooding on the golf course? Mr. Jones said that is correct. There are two-foot bridges at the golf course that affect the flooding, and they are absolutely related to the flood levels for the Blough Court and Blough Road homes. Member Dence asked how many people decided to get sod for the 2018 Road Program. Mr. Jones said there were about 20 people. Member Boraski asked about 1 Ben Fairless in the U.S. Steel property. Are they knocking down buildings and making flat lots? Jones said this is known as the NT4 site and that project has been around for quite some time. It is a project for land development for BGB Steel. They were cited for operating without development approval. They need to obtain an NPDES permit. When the BGB folks were cited, they said they were going to move. We began to help U.S. Steel help themselves by anticipating the BGB company coming over. They wanted to come in and pour stone over the whole site and we advised them to put asphalt in. There will be some asphalt and some paving. They are prepping for that future use. Chairman Harvie asked for the status of Outback Steakhouse. Mr. Jones said they were cleared to begin construction last month. They made progress on the demo and some of the site work. They are now fully permitted and under construction. They said it would be about a six-month construction period. Member Dence moved to accept the Engineers Report for May 2019; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 8 BILL LIST**

Member Dence moved to approve the bill list dated June 18, 2019 in the amount of \$1,856,280.53; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 9 EXECUTIVE SESSION**

Mr. Clarke said prior to tonight's meeting, the board met to discuss several personnel matters, a matter involving a collective bargaining agreement, and a matter involving litigation.

**ITEM # 10 POLICE DEPARTMENT REPORT**

Chief Wilcox reported on the following:

- A. Chief Wilcox said the man responsible for at least two of the hold ups on West Trenton Road has been apprehended. He was identified by a photo lineup and he is incarcerated.
- B. Chief Wilcox spoke about the suspect who was involved in indecent exposure at the park. He is incarcerated by a Megan's Law violation. He is in custody as we speak, and five search warrants are being served.

**ITEM # 11 MANAGER COMMENT**

- A. Member Dence moved to approve escrow release # 1 for Accu Fire Fabrication in the amount of \$673,227.22; Member Boraski seconded the motion; all board members were in favor. (3-0)
- B. Manager Gray announced the following new businesses: Celtic Healthcare, Malls Auto Service, Manacana Cargo, Mid-Atlantic Event Group, Resource Recycling Management, Fortunoff Backyard Shop, and Kay Marie Braiding Salon.
- C. Parks and Rec held the Thousand Lights Festival at the community park. Between 1,500 and 1,800 people attended this event. It ran smoothly and was a success. The Parks and Rec Board has recommended donating any proceeds to local food pantries.
- D. Manager Gray said mylars are ready for signature for Britton Industries.

We became aware of an issue involving 275 Yardley Avenue. It was conveyed to an individual for a public bidding process. The deed was listed in the name of a partnership instead of the individual's name. That partnership has never existed. The estate asked us to try to obtain a clear title of the property. They cannot sell the property until this matter is cleared up. Member Dence moved to authorize the solicitor and manager to execute a consent order upon verification of outstanding items and satisfaction of the language; Member Boraski seconded the motion; all board members were in favor. (3-0)

**ITEM # 12 BOARD COMMENT**

Member Dence asked Mr. Clarke for an update on Elcon. Mr. Clarke said that Elcon filed an appeal to the board's decision. The appeal was filed within the time limits. As they are required to do, they listed the reasons why they think the appeal should be granted and their land development should be granted. They are alleging two defects under the Municipalities Planning Code and they are alleging that the township operated in bad faith by moving this process along in the manner that we did. It has been assigned to a judge by the Bucks County Court of Common Pleas. We received today the certification of the record. We have a certain amount of time to certify the record to Bucks County. After that, there will most likely be a pre-trial conference with the judge. The judge will lay out a briefing schedule. There will probably be some preliminary matters involved. There was a lot of interest from the public and various groups; some of them may want to be party to the appeal. That will be a preliminary matter that will be dealt with. It is in the hands of a Bucks County Judge who will, at some point within the next 6-9 months, make a decision on their appeal.

Member Boraski – no comment.

Chairman Harvie said expressed Happy Father's Day wishes to Mr. Jones, Mr. Clarke, Manager Gray, and his fellow board members. Chairman Harvie said it was good to have the Thousand Lights Festival this past weekend. Another event that was recently held was the DV3 flag ceremony which they have done for about 34 years. There were roughly 65,000 flags; 58,000+ for every American lost in Vietnam as well as those still missing in action and representing those who have been lost in subsequent wars in Afghanistan and Iraq. This is done by a group of volunteers who just show up. We are proud to have them here. This may be the largest single display of American flags in the world at any one place in terms of quantity. Now that school is out, make sure you are watching children near the streets. Another reminder, if there are dirt bikes or other motor vehicles which are not licensed, they should not be on the street. Operators of these types of vehicles should behave in a way that is responsible for their safety. Chairman Harvie spoke of a student who was killed and another who was injured a few months ago when they were riding a vehicle that shouldn't have been on a residential road. Neither of them was wearing a helmet. Please keep your eyes open and be safe. Enjoy your summer.

Member Dence moved to adjourn the meeting; Member Boraski seconded the motion all board members were in favor. (3-0) The meeting was adjourned at 8:19 p.m.

  
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Jeffrey Rocco, Secretary