

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:02 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Rocco who was called away on a last-minute business trip. Also present were Township Manager Peter Gray, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones.

AWARD CEREMONY FOR A LIFE SAVING EVENT

Chief Wilcox spoke about an incident that took place during the graduation ceremony at the Pennsbury High School football stadium involving an unconscious person and another person who went into cardiac arrest. Our emergency services did a very good job and were able to revive the individual. All ended well due to the efforts of everyone involved. Chief Wilcox presented life-saving awards to personnel from the Levittown-Fairless Hills Rescue Squad, Falls Township Fire Marshal's Office, Fairless Hills Fire Company, Falls Fire Company, and the Pennsbury Administration. This award was recommended to the awards committee by Corporal Victoria Crozier.

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

Mr. Chuck Hysca said that on July 27th, there was a party on Gilbert Drive in the Hedgerow Woods section. Their neighborhood was inundated with about 50 vehicles, mostly from New York, and between 100 to 200 people. Mr. Hysca said people started arriving around 1 p.m. They had a giant blow up slide and a DJ started playing loud and offensive music. Police responded and the music was turned down for about half an hour. Police were called again. The marijuana smoke was very strong. Mr. Hysca provided the board with a copy of the flyer for this event. The organizers charged money to enter. This same type of event also occurred the following week in Bustleton. Mr. Hysca said they had to put up with a great deal of nuisance until 9 p.m. at night. Mr. Hysca asked if Airbnb parties are allowed to be in a residential neighborhood, is there a limit to the size of the crowd, how loud can they play music, and are they legally allowed to charge for liquor? Who is responsible for the safety? Can we get an ordinance to deal with this type of situation? Chairman Harvie said you have our sympathies that you had to deal with this. This usually doesn't happen around here. We have been talking with Ms. Gallagher about options that we have and how we can change those codes to prevent this and also to regulate Airbnbs. Ms. Gallagher said

the law in Pennsylvania was unsettled with regard to Airbnbs until about two or three months ago. We do now have some guidance from the Pennsylvania Supreme Court which allows us to regulate that type of use from a zoning perspective. We are working with township staff to develop an ordinance. We may potentially implement something that would require inspections prior to someone renting out a property. The address of properties on Airbnb is not given to the renter until just before the rental period. We are still reviewing this. Selling of alcohol falls under the jurisdiction of the Liquid Control Board which we can be in contact with. From a zoning perspective, if we know there is an issue, then the township Code Department can go out to shut it down. Chairman Harvie said with the music, the regulations deal with hours, not decibels. This is something we don't want to happen again and he apologizes it happened at all. Member Boraski said it is really unfortunate you had to live through this.

Mr. Dan Horning would like to reiterate the concerns from Mr. Hysca. He would like to see some sort of an ordinance before it gets to this again. Mr. Hornig thanked his neighbors for showing up tonight.

Ms. Rosemary Boyle said she was an eyewitness to this event. When the party was over, it was like a demolition derby with cars going all over the place. They made U-turns on Stony Hill Road. They saw public urination and people changing in their vehicles. Ms. Boyle hopes that something can be done to prevent this from happening again. This should not be taking place in a residential neighborhood.

Mr. Steve Miller said he is the new District Manager for the Waste Management trucking company in Bristol. He wanted to attend tonight's meeting and introduce himself to the township. He previously met with Manager Gray to go over some of the issues that have been going on and asked if there were further concerns. Chairman Harvie said when he left to attend tonight's meeting, his trash was not yet picked up. The most problematic issues have been in the past three years. It seems to be more regular than it used to be where they would miss a day. He doesn't know what the issue is. Mr. Miller said it is a little bit of logistics, personnel, and truck issues. One of the reasons he came down here was to try to get this back into control. We have hired additional managers, drivers and have more trucks. Things may happen, but we need to respond better. Tonight, we had a problem in Nottingham. At 5:15 p.m. the truck broke down. If the trash doesn't get picked up by tonight, then it will be tomorrow morning. Mr. Miller said he spoke with Manager Gray about mailing out flyers. Chairman Harvie said Falls Township has a newsletter that goes out twice a year and a lot of times there is information in there about trash pick-up. Member Boraski asked Mr. Miller to comment on the difference in staff from now to about three years ago. Mr. Miller said they have hired about twelve additional drivers. Member Boraski asked if a lot of drivers left due to doing away with the union. Mr. Miller said they have two sites in Bristol and they merged those two sites together. For a while, one of these sites was union but they de-certified before they made that move. The drivers are very well compensated and work hard for every penny. They had to adjust their pay and things like that. Right now, they are a non-union company. They have hired twelve people this summer. There is a long training period and they go to Florida for two weeks of training.

Things will not be perfect, but they will respond better. It is his job to get things fixed. Member Boraski asked about trash coming in from out of state. Mr. Miller said his position is the District Manager of the trucking company. He does not deal with anything on the backend. Member Boraski asked about trucks going from Tyburn Road onto Rt. 13. Mr. Miller said he will get word out to the landfill about that.

Mr. Guido Mariani said he will address a few brief observances. There is a great deal of talk about the green deal. Mr. Mariani spoke about global warming and what he thinks contributes to this. He said human contribution is way too small to have any effect. Warming is caused by sunspots and warmer oceans. Mr. Mariani said the global average temperature is falling and he believes by 2030, it will return to where it was in the 1970's. Mr. Mariani also said that CO2 cannot cause global warming. The next thing he is deeply concerned about the public abuse of our police and their inability to enforce standards of safety even to protect themselves. Finally, the gateway drug. Marijuana it has more of an imprint on your life than you realize. Under Federal law, if you have a marijuana card, you are prohibited from possessing, purchasing, or using a firearm. You would have to transfer that firearm to someone who is not a member of your household and this has to be done within 60 days. Use of marijuana by a law enforcement officer is prohibited because their job requires them to carry a firearm. Where are we with enforcement? Chairman Harvie said we are enforcing the laws of Pennsylvania and the Federal Government the best we can. We know there are issues when our police are challenged physically, and they do very well de-escalating situations. For all the things you see on the news about police every day there are police offices who handle it perfectly and save lives.

Mrs. Toni Battiste said near the end of last month's meeting the board brought up and voted on an item asking for fluoride to be added to the water supply for Pennsylvania-American Water Company. She knows we already have some fluoride in our water. Getting in touch with the municipal utility that covers that is next to impossible. Fluoride is a toxic chemical and is a by-product of a fertilizer. You are basically adding something to our water that is waste. Mrs. Battiste thinks companies say we can sell this waste product and make money. Maybe it does prevent cavities, but it can also discolor teeth. Fluoride does occur naturally in some areas, but now we are adding it to the water. Many dentists offer fluoride treatments. Many European countries banned adding fluoride to their water supply. Even the toothpaste tubes tell you don't swallow toothpaste. If they are saying don't swallow it, now you are putting it into the water that we are swallowing. Mrs. Battiste is asking the board to reconsider this and let the people have the option. Mrs. Battiste asked if Elcon has taken any action against the township. Chairman Harvie said they have filed nothing since then.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 127 YARDLEY AVENUE
TMP # 13-020-266 – RE-SIDE THE HOUSE WITH HARDIE PLANK
SIDING**

Member Dence moved to approve the Certificate of Appropriateness for 127 Yardley Avenue to re-side the house with Hardie plank siding; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 3 CERTIFICATE OF APPROPRIATENESS – 65 OLD LOCUST AVENUE TMP # 13-041-091 – HOT TUB INSTALLATION IN REAR YARD

Member Dence moved to approve the Certificate of Appropriateness for 65 Old Locust Avenue for hot tub installation in rear yard; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 4 81 MAIN STREET TMP # 13-020-239 – RED STONE PAD IN REAR YARD PARKING SPOT FOR RV

Member Galloway moved to approve the Certificate of Appropriateness for 81 Main Street for red stone pad in rear yard parking spot for RV; Member Boraski seconded the motion; all board members were in favor. (4-0) Mr. Jones said they will not be over the impervious.

ITEM # 5 CERTIFICATE OF APPROPRIATENESS – 35 OLD LOCUST AVENUE TMP # 13-032-056 – INSTALL A 50 FT SECTION OF WHITE PVC PRIVACY FENCE IN THE SIDE YARD

Member Galloway moved to approve the Certificate of Appropriateness for 35 Old Locust Avenue to install a 50-ft section of white PVC privacy fence in the side yard; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 6 CERTIFICATE OF APPROPRIATENESS – 133 YARDLEY AVENUE TMP # 13-032-040 – NEW SIDING, NEW FRONT DOOR, TRIM AND SHUTTERS

Member Dence moved to approve the Certificate of Appropriateness for 133 Yardley Avenue for new siding, new front door, trim, and shutters; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 7 KAMPI COMPONENTS CO. INC. – PRELIMINARY/FINAL LAND DEVELOPMENT – 88 CANAL ROAD – TMP # 13-047-167

Manager Gray said the applicant's proposed project consists of the construction of an 11,025 sq. ft. building addition with related site improvements and associated parking, utilities, and stormwater management. The applicant provided information relating to this project. The site work is very minimal. The applicant will comply with the fire marshal review letter. Requested waivers deal with submission of a preliminary and final plan; curbed raised planting beds; street trees; and requiring existing features to be shown within 200 feet of the land to be developed. Member Dence moved to approve Resolution # 19-17 for Kampi Components Co. Inc., preliminary and final land development, 88 Canal Road, TMP # 13-047-167; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 8 CONSIDER AMENDED PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FROM JONES ENGINEERING ASSOCIATES FOR THE 2019 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM

Manager Gray said earlier this year, Jones Engineering Associates submitted a proposal for professional engineering services for the design of the 2019/2020 Road Improvement Program. There are four additional roads to be included for full-depth reconstruction. They are: DeCoup Drive, Burgess Avenue, Burgess Road, and Hamilton Avenue. There are two additional roads to be included for mill and overlay. They are: Walnut Avenue and North Lafayette Avenue. The additional cost for this is \$169,800 which would give a total cost of \$464,300. Mr. Jones provided further explanation of their proposed work. They will finish Hedgerow Woods in the 2020 scope. Member Galloway moved to approve the amended proposal for professional engineering services from Jones Engineering Associates for the 2019 Falls Township Road Improvement Program in the additional amount of \$169,800; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 9 CONSIDER PURCHASE OF PAVILION KIT FOR THE PINWOOD POOL

Manager Gray said Mr. Andrews has secured three quotes for the pavilion kit for the Pinewood Pool. They are: RCP Shelters in the amount of \$13,625; Horizon Structures LLC in the amount of \$13,636; and American Landscape Structures in the amount of \$15,721. The Public Works Department will install the pavilion. Member Galloway moved to approve the purchase of the pavilion kit from RCP Shelters in the amount of \$13,625; Member Boraski seconded the motion; all board members were in favor. (4-0)

Manager Gray said after a recent Board of Health inspection, we were notified that the Pinewood Pool was the only pool in Bucks County that had no violations. Mr. Andrews said a lot of the credit goes to the Public Works Department and our pool staff. He thanked them for their hard work.

ITEM # 10 CONSIDER RESOLUTION FOR THE SALE OF TOWNSHIP SURPLUS VEHICLES

Manager Gray said a resolution has been prepared for the sale of surplus vehicles that need to be auctioned or scrapped. Member Galloway moved to approve Resolution # 19-18 for the sale of township surplus vehicles; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 11 CONSIDER THE AFSCME BARGAINING AGREEMENT FOR JANUARY 1, 2018 THROUGH DECEMBER 31, 2021

Member Dence moved to ratify the AFSCME Bargaining Agreement for January 1, 2018 through December 31, 2021; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 12 MINUTES – JULY 16, 2019

Member Galloway moved to approve the minutes from July 16, 2019; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 13 ENGINEERS REPORT

Mr. Jones said there are seven new earth disturbance submissions and one new cell tower submission. Mr. Jones highlighted some of the items in the report. The Outback Steakhouse plans to be open by November 1st. The W.G. Lincoln Properties was approved by the board around 2015 but sat for a while; they are now in construction. All earth disturbance projects that came in were reviewed in July. The 2018 Road Program is finished. There is still an issue with the grass, but this will be revisited in September during the growing season. Chairman Harvie asked about the blacktop issues at the township park bridge going from phase 1 into phase 2. There has always been a drainage problem on phase 1 near the access road. Mr. Jones surveyed the area, identified the low point, and said they are proposing an inlet at the low point. We will drain it into the existing pipes. They have conferred with the Public Works Director on that plan. It should be taken care of within a month. Member Galloway moved to accept the July Engineers Report as presented; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 14 BILL LIST

Member Galloway moved to approve the bill list for August 22, 2019 in the amount of \$2,229,538.17; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 15 EXECUTIVE SESSION

Ms. Gallagher said prior to tonight's meeting, the board met to discuss various items of personnel as well as collective bargaining.

ITEM # 16 POLICE DEPARTMENT REPORT

Chief Wilcox reported on the following:

- A. On August 18th, Dick's Sporting Goods held a bike rodeo. They did a great job with this event. Special thanks go out to Corporal Wolverton, Corporal Crozier, Mrs. Seiler, Officer Elmore and Monte, as well as several of our other officers.
- B. Last week there was a traffic stop with Lt. Whitney issuing a citation to a motorist on Rt. 13. While doing so, Lt. Whitney's vehicle was struck. Lt. Whitney had his vehicle positioned in the correct location, but the striking motorist failed to move over according to the law and signage along this roadway. Rt. 13 is one of the most dangerous highways in Pennsylvania. Chief Wilcox would like to remind everyone

Board of Supervisors – August 22, 2019

to please move when you see emergency vehicles on the roadway. Member Boraski said the police are doing details on Rt. 13 so you will see police vehicles on that roadway. Member Dence said since 2014, there were 415 accidents along that roadway and the police have written over 2,900 citations.

- C. School starts next week. Please slow down and be cognizant of children, crossing guards, and school buses. Please slow down and obey the speed limits in school zones.

ITEM # 17 MANAGER COMMENT

- A. Member Dence moved to ratify the five-year employment agreement for the years 2018-2022 for Lt. Nelson Whitney; Member Galloway seconded the motion; all board members were in favor. (4-0)
- B. Member Galloway moved to approve the escrow release for Accu-Fire in the amount of \$74,803.30 and St. Josephs Court in the amount of \$63,720; Member Boraski seconded the motion; all board members were in favor. (4-0)
- C. Manager Gray announced the following new businesses: Tire Disposal Services, Inc., New Belmont, LLC and New Ausonia, LLC, Southern Comforts, DFH Woodcrest, LLC, and Blue Rose Home Care.

ITEM # 18 BOARD COMMENT


Member Dence – no comment.

Member Boraski – no comment.

Member Galloway – no comment.

Chairman Harvie announced a Bucks County Household Hazardous Waste Collection to be held at the Bucks County Technical High School on Saturday, August 24th. Chairman Harvie thanked everyone for their work on tonight’s agenda.

Member Dence moved to adjourn the meeting; Member Galloway seconded the motion all board members were in favor. (4-0) The meeting was adjourned at 8:28 p.m.



Jeffrey Rocco, Secretary