

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:04 p.m. with roll call and pledge to the flag. All Board members were present. Also present were Township Manager Peter Gray, 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**

Mr. Bob Watters said welcome back to Manager Gray regarding the personnel situation that has been rectified. Mr. Watters said politics is very bad. When a family member lies to another family member and says there is nothing going on in the township, it doesn't work well. Family first; politics second. Mr. Watters said we need to have Route 13 re-painted. We see a lot of people scurrying off the road. He asks that someone please talk with PennDot to see if this can be done.

Ms. Sandra Gartner said she lives on Wheatsheaf Road, where there are two entrances to the community park. Since the bridge on the Mill Creek Parkway entrance has been closed, there has been more traffic and more heavy-duty trucks have been using this road. These trucks travel this roadway all times of the day and night and often speed. The speed limit is 25 mph. There is constant foot traffic due to the park. There is a sign near Darby's that says no trucks except for local deliveries. Ms. Gartner would like to see an electric speed sign like they have over near the high school. She would also like to see police presence. Lt. Whitney will address this issue. Chairman Harvie said the Mill Creek bridge is scheduled to be completed in early December. There was a utilities problem during the summer. They did not want to shut off electricity to that area, so they were waiting for cooler weather. Hopefully this will be rectified soon. Ms. Gartner thanked the board for the way they voted on the Elcon project.

Ms. Edgar Lituma expressed concern over the poor condition of the fields at the community park. He said one child was injured on the under 17 field. Mr. Lituma said there are between 500 and 600 kids playing there. He would like to know who will be taking care of the fields. The soccer club is willing to help. Mr. Lituma referees at other places where the fields are in good condition. Mr. Lituma does not want to see more kids getting hurt.

Board of Supervisors – September 17, 2019

Chairman Harvie asked Manager Gray to have Mr. Andrews meet up with Mr. Murphy and Mr. Watkins. He said there was mention of turning one of the fields into an all-weather surface and our engineer has taken a preliminary look at that. Chairman Harvie thanked Mr. Lituma for his concern.

Mr. Tom Bennett said there was a social media report today and Chairman Harvie said that he resigned because he has been wanting to move to South Carolina. Mr. Bennett said he does plan to move to South Carolina, but not for a couple of years. Mr. Bennett said the reason he resigned is because he was being forced to sign a Certificate of Occupancy for a home that had substantial violations. Mr. Bennett said the board is all aware of this. He said he was not signing it because he was not putting anyone else's life in danger. He was suspended without pay for 2-1/2 days by Manager Gray at the advice of Ms. Gallagher. Mr. Clarke said Mr. Bennett was wrong on the law and we showed him and tried to convince him, and he would not agree. The property owner was entitled to have some of those permits signed and said Mr. Bennett refused to do it. Mr. Bennett said they were substantial violations on that property that could jeopardize someone's life or safety. There was a swimming pool with no gate and no fence, there were numerous electrical problems, there was also no CO detector, and no ground fault receptacles. Mr. Bennett said they could have been in that house 100% legally in no time at all. Mr. Clarke said you were the Chief Code Enforcement Officer and you were not aware that the law had been changed regarding Use and Occupancy certificates. Mr. Bennett said you were wrong. He is not going anywhere. He left because he was being forced to do things that he should never have been forced to do. He is certified in the state as a building official and certified as an inspector in every category and the attorney is not certified in any of those things. Mr. Bennett said you guys didn't want to address the issue. He walks by that house every day and that fence is still in violation. Mr. Boraski said he spoke to Mr. Bennett all during this time about this situation. He did express concern with you. He saw your letter of resignation and spoke to you after that. He was siding with you on some of the stuff and did have concerns about safety. Mr. Bennett said he left because he was forced out. Member Dence said you did us a favor; it was his suggestion to fire you.

Mr. James Birk said he lives in Yardley Farms. He is here to speak about unreliable PECO service. Recently, over 23 days, he and his neighbors lost power three times. This is all storm related. PECO is not doing adequate tree trimming. He gives credit to the PECO linemen. It is PECO management that refuses to do new things. On October 9, 2014, PECO was here in Falls Township, talking about all the things they were going to do to correct these types of issues. We continue to have poor unreliable service. There is a dangerous situation at 106 Winding Way. The Verizon utility pole is slowly giving way, but no one can get PECO to move their power lines from that pole. The electric line is stretched to its limit. Something needs to be done here. Member Boraski said you see this more and more every day. Mr. Birk said he thinks there are approximately 40 houses that go out when his electric goes out. Chairman Harvie said a lot of times they base their work on the number of homes and businesses that are out. We will definitely look into this and reach out to them.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 133 YARDLEY AVENUE
TMP # 13-032-040 – REAR ADDITION (21' X 16')**

Member Rocco moved to approve the Certificate of Appropriateness for 133 Yardley Avenue, rear addition (21' x 16'), TMP # 13-032-040; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 CERTIFICATE OF APPROPRIATENESS – 94 MAIN STREET
TMP # 13-020-262-001 – REPLACE ROOF**

Member Rocco moved to approve the Certificate of Appropriateness for 94 Main Street to replace the roof, TMP # 13-020-262-001; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 MORRISVILLE COMMONS – FINAL MAJOR SUBDIVISION –
WEST TRENTON AVENUE AND PINE GROVE ROAD –
TMP # 13-028-028**

Manager Gray said the applicant's proposed project consists of subdividing Morrisville Commons into three separate lots. Representing the applicant this evening is Mr. Frank Dillon. They have previously been before the board. They are essentially creating three separate lots. One is the WAWA, one is the Rite Aid, and one lot is to be determined. Proposed waivers deal with sidewalks, parking, lot lines, curbing, and showing existing features within 200 feet of the land to be developed. Member Boraski moved to approve Resolution # 19-19 for Morrisville Commons, final major subdivision, West Trenton Avenue and Pine Grove Road, TMP # 13-028-028; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 5 CONSIDER PURCHASE OF VEHICLE FOR THE POLICE
DEPARTMENT**

Lt. Nelson Whitney provided information on a police vehicle to replace a unit that was in a recent traffic accident. The cost of the vehicle is \$34,000 with an additional \$4,925 for upfitting. The amount not covered by insurance will be paid by the individual who caused the accident. The insurance company pays to decommission the vehicle so the equipment can be re-used in another vehicle. Lt. Whitney explained why the police park the way they do during traffic stops. Member Dence moved to approve the purchase of a police unit from Fred Beans Ford of Doylestown in the amount of \$34,000 plus \$4,925 for upfitting from Tryon's Emergency Vehicle Upfitting for the total amount of \$38,925; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER PURCHASE OF VESTS FOR THE POLICE DEPARTMENT

This is for the purchase of 42 ballistic vests which expire in November of 2019. Replacement vests are \$1,072 for each vest. They are on the PA state contract. Sometimes they use the old vests for interns or ride alongs. The vests get wet with sweat or when exposed to the elements. Repeated exposure to water can get into the fibers of the vest. Over time, they also absorb odors. Member Dence moved to open public comment; Member Boraski seconded the motion; all board members were in favor. (5-0) Mr. Bob Watters said we now have people getting vests who should not be able to get them. Is there a decommissioning process? Lt. Whitney said they collect the vests, so they are not worn by officers. Eventually, they are discarded. Mr. Watters said we have to make sure they are properly disposed of. Mr. Birk asked if the technology changes every five years. Lt. Whitney said sometimes the technology does change. Instead of purely woven vests, some of them contain laminate materials. Exposure to UV light degrades the vests. It can affect the ballistic integrity of the vests. Member Dence moved to close public comment; Member Rocco seconded the motion; all board members were in favor. (5-0) Member Galloway moved to approve the purchase of 42 ballistic vests at the cost of \$51,072 from Atlantic Uniform Co.; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER PURCHASE OF SPEED SIGN FOR THE POLICE DEPARTMENT

Chief Wilcox said he looked at our old speed device and it is not cost effective to try to repair it. It hasn't been in use for a long time. The proposed speed sign is state of the art. It has solar panels and can also display messages. It is a little bigger than what we currently have but is very portable. Member Galloway moved to approve the purchase of a speed sign in the amount of \$11,038 from Traffic Logix; Member Boraski seconded the motion; all board members were in favor. (5-0)

Lt. Whitney said he is aware of the local news outlet that attempted to question your integrity and your actions as township supervisors. A true whistle blower reports their concerns to law enforcement to seek justice and not a local news outlet to try to smear people they are not happy with. Lt. Whitney said he knows you all work hard, and he would like to take this opportunity to thank you for the work you do for our community and Township of Falls. He is sure your families and citizens know and can be proud of the fact that you work hard with integrity for the township.

ITEM # 8 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR ORDINANCE AMENDING CHAPTER 69 – PLANNING COMMISSION – TO AMEND SECTION 1 – COMMISSION ESTABLISHED; MEMBERSHIP

Ms. Gallagher said the intent of this proposed change is to reduce the members of the Planning Commission from seven to five members. The Municipalities Planning Code

Board of Supervisors – September 17, 2019

allows the township to reduce it to three. When members come up for re-appointment, their vacancies will simply not be filled until the reduction goes to five members. Member Boraski said it has been a struggle to keep it at seven and was sometimes difficult to keep a quorum. Mr. Binney has been on that board for a long time and is a good leader. Member Boraski moved to authorize advertisement for ordinance amending Chapter 69 – Planning Commission – to amend Section 1 – Commission Established; Membership; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE 2019 ROAD IMPROVEMENT PROGRAM

Manager Gray said we have received bids submitted for the 2019 Road Improvement Program. They are: General Asphalt Paving Co., Inc. in the amount of \$1,617,389.85; James D. Morrissey Inc. in the amount of \$1,782,438.90; and Meco Constructors, Inc. in the amount of \$2,642,980. It is recommended that the board authorize the township engineer's office to issue a notice of intent to award to General Asphalt Paving Co., Inc. for the base bid cost of \$1,617,389.85. Member Rocco moved to open public comment; Member Dence seconded the motion; all board members were in favor. (5-0) Mr. Birk asked how the township decides which roads get reconstructed. Chairman Harvie said first we look at finances. Public Works gets involved and they look at what roads need to be done sooner than later. At this point, we have done most of the roads in Falls Township. Mr. Jones said Simons and Gilbert are scheduled for construction early next spring. Member Dence moved to close public comment; Member Galloway seconded the motion; all board members are in favor. (5-0) Member Galloway moved to issue a notice of intent to award bid for the 2019 Road Improvement Program to General Asphalt Paving Co., Inc. in the amount of \$1,617,389.85; Member Rocco seconded the motion; all board members were in favor. (5-0)

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

Member Galloway moved to accept the bids for the sale of sixteen township surplus vehicles in the amount of \$7,497; Member Rocco seconded the motion; all board members were in favor. (5-0)

ITEM # 11 CONSIDER PROPOSALS FROM THE BUCKS COUNTY CONSORTIUM REGARDING THE PURCHASE OF ROCK SALT FOR 2019-2020

Manager Gray said the township received the Bucks County Consortium Salt Bid from Doylestown Borough. It is recommended to award the Consortium Bid for 2019-2020 to Morton Salt at \$48.50 a ton delivered. Member Dence moved to award the Consortium Bid to Morton Salt at \$48.50 a ton delivered; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 12 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2020 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE PENSION PLAN

Member Galloway moved to approve Resolution # 19-20, establishing 2020 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$2,835,893; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 13 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2020 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE NON-UNIFORM PENSION PLAN

Member Rocco moved to approve Resolution # 19-21, establishing 2020 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$126,210; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 14 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2020 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PUBLIC WORKS PENSION PLAN

Member Rocco moved to approve Resolution # 19-22, establishing 2020 Minimum Municipal Obligation (MMO) for the Public Works Pension Plan in the amount of \$70,159; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 15 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR AUDIT OF THE 2019 FINANCIAL RECORDS

Member Galloway moved to authorize advertisement for audit of the 2019 financial records; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 16 MINUTES – AUGUST 22, 2019

Member Dence moved to approve the minutes from August 22, 2019; Member Galloway seconded the motion; all board members were in favor with the exception of Member Rocco who abstained from the vote. (4-0-1)

ITEM # 17 ENGINEERS REPORT

Mr. Jones said there are two new earth disturbance applications that were submitted, one new land development application and two new cell tower alteration applications. St. Josephs Court is coming along smoothly, and they anticipate completion by the end of the year. Abington Reldan is complete, and MLH Explorations just received their demolition permits. The second MLH application is coming to the board next month for land development approval. This is for the larger greenhouse. McGill Composting is going before the Planning Commission next week. It is a pretty large indoor composting facility at

Board of Supervisors – September 17, 2019

the KIPC. The Lincoln Properties 225 earth disturbance is complete. Peruzzi Family LP recently withdrew their application for curb improvements to the front of their facility. The Geleste project is a minor building addition and we have a meeting on that tomorrow. In terms of ongoing township projects, the 2018 Road Program is done. The landscape contractor will be out tomorrow to start redoing all of the grass. We hope for better results. For the 2019 Road Program, this evening the board authorized us to issue the Notice of Intent. We will be ready for going out to bid and hope for a December/early January start. This will complete Hedgerow. Member Rocco moved to accept the August Engineers Report as presented; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 18 BILL LIST

Member Rocco moved to approve the bill list for September 17, 2019 in the amount of \$1,682,649.59; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 19 EXECUTIVE SESSION

Mr. Clarke said prior to tonight's meeting, the board met to discuss personnel matters and a matter involving potential litigation for a land development matter.

ITEM # 20 POLICE DEPARTMENT REPORT

Chief Wilcox reported on the following:

- A. We have started the process for the Chief for the Day program for the upcoming school year.
- B. The Citizens Police Academy is scheduled to start next Wednesday. We have between 13-15 people signed up. They do have more space available. This is a great program to see how police work.
- C. There will be a Coffee with a Cop event at the senior center in December.
- D. There will also be a Coffee with a Cop event scheduled in Doylestown. All police departments will participate. This will be held on October 2nd from 9-11 a.m.
- E. Tomorrow is our mock accreditation. It begins at 8 a.m. and we are more than ready. We have transferred all of our hard files. Tomorrow will be a walk through of all the essential parts of our police department. We hope to be very successful. The actual accreditation had been scheduled for October 31st, but will likely be moved to the first couple days of November.
- F. September 24th is the date for the orals for the supervisory test. All of the officers involved in this have been notified.
- G. On behalf of the entire police department, Chief Wilcox said that Manager Gray will be sorely missed. You are a good man and a quality individual, and you will be missed.
- H. Member Boraski asked if Mrs. Seiler can send calendar invites to their e-mail accounts and also include the dates of D.A.R.E. graduation.

ITEM # 21 MANAGER COMMENT

- A. Member Dence moved to approve the purchase of 12 bare-root trees at the cost of \$50 each for a total of \$600; Member Galloway seconded the motion; all board members were in favor. (5-0)
- B. Manager Gray announced the following new businesses: Bridge Street Golf at Snipes Farm; Paramount ABA, LLC; Chi Balance Center; H&R Auto Repair; Sale of Red Roof Inn; Spirit Halloween; and Carney Contracting Services.
- C. Mylars are ready for Milex Properties and Kampi Components.
- D. Member Rocco moved to approve Resolution # 19-23 to appoint Mrs. Betsy Reukauf as Township Open Records Officer and Lt. Todd Pletnick as the Township Open Records Officer relating to police matters, both effective October 1, 2019; Member Dence seconded the motion; all board members were in favor. (5-0)
- E. Member Rocco moved to retain the law firm of Obermayer, Rebmann, Maxwell, and Hippel, as outlined in their engagement letter, to assist the solicitor's office on a personnel matter; Member Galloway seconded the motion; all board members were in favor. (5-0)
- F. Member Boraski moved to approve the hiring of MCS Group, consistent with their letter to assist the township with some ongoing IT matters; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 22 BOARD COMMENT

Member Rocco – no comment.

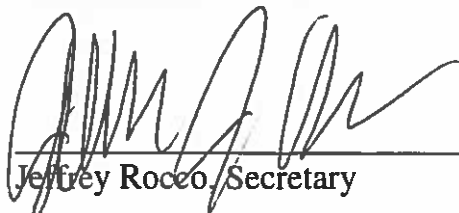
Member Dence – no comment.

Member Boraski – no comment.

Member Galloway – no comment.

Chairman Harvie said the bridge on Mill Creek Parkway is scheduled to be finished in early December. To township residents of the Jewish faith, pleasant holidays. Chairman Harvie said it is getting a darker a little earlier each day. Please continue to keep a watchful eye out for children playing outside. The township installed LED lights. They do not usually go out very often but if they do, please contact the township and give us an address of where the light is out. There was an issue on Canterbury, but PECO should be out soon to correct the problem.

Member Dence moved to adjourn the meeting; Member Galloway seconded the motion all board members were in favor. (5-0) The meeting was adjourned at 8:25 p.m.



Jeffrey Rocco, Secretary