

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:11 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 Noah Marlier, and Township Engineer James Sullivan.

**PROCLAMATION AWARD TO BE PRESENTED FOR THE 333RD
ANNIVERSARY FOR THE FALLSINGTON FRIENDS MEETING HOUSE**

Chairman Harvie spoke about the history of the Fallsington Friends Meeting House. They are celebrating their 333rd anniversary. Some members of the group came forward. Mr. Jonathan Snipes thanked the township for honoring their group. He announced that on the third Monday of each month, their group holds a Food for Friends event. This is an open invitation for anyone to come out and share a free meal with others. Chairman Harvie read the proclamation. Member Dence moved to approve the proclamation for the 333rd anniversary of the Fallsington Friends Meeting House; Member Galloway seconded the motion; all board members were in favor. (5-0)

PECO PRESENTATION

Mr. Ted Duran, from PECO, spoke about the 2015 Green Region Grant. This grant is for municipal open space and environmental programs. Mr. Duran was present this evening with Ms. Holly Harper from the Natural Lands Trust. Mr. Duran and Ms. Harper congratulated the township and presented a \$10,000 grant which will be used for the township's community garden.

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

Ms. Lisa Farrell re-iterated what she said in previous meetings about being opposed to the Elcon hazardous waste facility coming into the township. Ms. Farrell said there are a number of surrounding municipalities that have passed resolutions against this development. Ms. Farrell spoke about her concern over the air quality in Lower Bucks. She said Lower Bucks ranks third worst in the state of PA for air quality and you shouldn't be allowed to

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have any further emissions coming into this area until a safe level is reached. She said this area of Falls seems to be a sacrifice zone for hazardous waste companies converging into this area. No one is against industry and a lot of companies are doing good things, but Ms. Farrell believes we have reached our limit. Ms. Farrell said there have been permits in the newspaper for Clean Earth Inc. and raising their tonnage from 2,400 tons of soil to include another 600 tons of soil. Ms. Farrell asked where we stand with regard to the Elcon phase 2 application and the Clean Earth Inc. permit proposal. Chairman Harvie said the township has not received anything in regard to Elcon. There is a member of our Environmental Advisory Council who monitors and regularly checks on this. Elcon has not started the process. The Clean Earth Inc. company has been in the township for about 20 years and we have not had any issues with them. There have been no problems and no violations. If they had any DEP issues, the township would know about it. Their project would not require them to come before the board because they are not expanding their building or constructing anything new.

Ms. Betty Tatum also spoke about her concern with Elcon. She is very concerned about children breathing in the air. Ms. Tatum said she learned that you didn't get anything from Clean Earth and wanted to address their project. She is happy to hear they have not had any violations. Ms. Tatum said Elcon wants to process 210,000 tons. She wonders how much more hazardous waste can we put into the air. All of these processes have some kind of air contamination. They are a major company and they have 16 fixed locations in the U.S. They have different permits. They are asking for new processes to be considered and Ms. Tatum asks the board to please look into this with great care. We are talking about two major increases in toxic air. In 2014, we are the only county in Bucks County with a rising cancer rate for children under 15. We live in an industrial society and we have to look at how much more we can expose our children to. Ms. Tatum presented some information from studies she read that described the diseases that could be on the rise due to this waste. Ms. Tatum gave the information to Manager Gray.

Mr. Clarke left the meeting at 7:40 p.m.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 41 OLD LOCUST STREET
TMP # 13-032-055 – REPLACE ALL WINDOWS AND HARDIE
PLANK SIDING ON THE HOUSE**

Member Dence moved to approve the Certificate of Appropriateness for 41 Old Locust Street, TMP # 13-032-055, to replace all windows and hardie plank siding on the house; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 PERUZZI MAZDA – PRELIMINARY AND FINAL LAND
DEVELOPMENT – 140 LINCOLN HIGHWAY – TMP # 13-004-092**

Manager Gray said the applicant's proposed improvements consist of the construction of a 7,400 sq. ft. building expansion with associated parking and storm water management. The applicant is represented by Mr. Ed Murphy. Mr. Murphy said the applicant plans a u-shaped expansion that circles the dealership and provides more service space. This was

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approved by the Planning Commission with certain conditions and those conditions are outlined in the draft resolution. In regard to sidewalks, Member Dence said it is an odd spot and he does not see the need for sidewalks. Chairman Harvie asked about parking spaces – he assumes the efficient thing to do is not to have as many vehicles there. Mr. Peruzzi said they would be storing more vehicles at Strict Trailer and their body shop. They will be adding 7 service bays. Chairman Harvie said another issue they have had in the past, was residents in the rear adjoining property complaining about the lights. Mr. Peruzzi said that was the GM site and that was corrected. Mr. Murphy said they will make the effort to try to minimize any new light onto adjacent properties. Mr. Peruzzi said if it is an issue, they will correct it. Chairman Harvie said he received an email asking about the lack of sidewalks in the township and they have been asking people to install sidewalks. There will be sidewalks for the new township building. In the resolution, items 3 and 7 will be removed and on page 5 - not granting waivers b and f. Member Dence moved to approve preliminary and final land development for Peruzzi Mazda, 140 Lincoln Highway – TMP # 13-004-092; Member Rocco seconded the motion; all board members were in favor. (5-0)

ITEM # 4 FALLS TOWNSHIP MUNICIPAL BUILDING – PRELIMINARY & FINAL LAND DEVELOPMENT – 188 LINCOLN HIGHWAY - TMP # 13-005-003

Manager Gray said this item is to discuss the project for a new municipal building. Mr. Chris Fazio, Mr. Doug Hopper (Project Manager), and Ms. Sarah Miller are present from Remington Vernick. Mr. Martin Kimmel and Mr. John Trump are here from Kimmel Bogrette. Mr. Hopper said phase 1 will deal with the administration, the police department, and the public works department. Phase 2 will be to demolish the existing building. Phase 3 will be to construct infrastructure where the existing building was located. There will be less storm water coming off of the site than there is now. The timetable to complete this project will be 18-20 months and they hope to go out to bid by the first of the year. Member Harvie said this project has been discussed at previous meetings, and they have had information in our newsletter and online as well. Member Rocco said the challenge we have is to continue operations while this is going on. It would have been a lot more expensive to renovate this building. Chairman Harvie said he appreciates all of the effort that has gone into this. It has been a team effort and he looks forward to moving on with this project. Member Galloway moved to approve Resolution # 16-30, preliminary and final land development for the Falls Township Municipal Building, 188 Lincoln Highway – TMP # 13-005-003; Member Rocco seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER RESOLUTION FOR THE GREEN LIGHT GO PROJECT FOR TRAFFIC SIGNAL APPROVAL FOR THE MILL CREEK PARKWAY & LEVITTOWN PARKWAY INTERSECTION

Mr. Chris Fazio, Remington Vernick, provided information on this project. Member Rocco moved to approve Resolution # 16-31 for the Green Light Go Project for traffic signal approval for the Mill Creek Parkway and Levittown Parkway intersection; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 6 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2017
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE
PENSION PLAN**

Member Dence moved to approve Resolution # 16-32, establishing the 2017 Minimum Municipal Obligation (MMO) for the police pension plan in the amount of \$2,589,914; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 7 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2017
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE NON-
UNIFORM PENSION PLAN**

Member Dence moved to approve Resolution # 16-33, establishing the 2017 Minimum Municipal Obligation (MMO) for the non-uniform pension plan in the amount of \$123,549; Member Rocco seconded the motion; all board members were in favor. (5-0)

**ITEM # 8 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2017
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PUBLIC
WORKS PENSION PLAN**

Member Galloway moved to approve Resolution # 16-34, establishing the 2017 Minimum Municipal Obligation (MMO) for the Public Works pension plan in the amount of \$59,297; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 9 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR AUDIT
OF THE 2016 FINANCIAL RECORDS**

Member Dence moved to authorize advertisement for audit of the 2016 financial records; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 10 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE 2016
FALLS TOWNSHIP ROAD IMPROVEMENT LANDSCAPE
RESTORATION PROJECT – HOWLEY DRIVE**

Manager Gray provided information on the bids for the 2016 Falls Township road improvement landscape restoration project for Howley Drive. The bids were: Bustleton Services in the amount of \$18,990 with alternate # 1 as \$30,460; and Greenscape Landscape Contractors, LLC in the amount of \$61,890 with alternate # 1 as \$71,060. The board discussed these bids. Member Rocco moved to approve the notice of intent to award the bid for the 2016 Falls Township Road Improvement Landscape Restoration project – Howley Drive to Bustleton Services in the amount of \$18,990, pending successful outcome to the required responsible contractor determination; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 11 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR THE FALLS TOWNSHIP COMMUNITY PARK FISHING PIER

Member Dence moved to authorize advertisement for the Falls Township Community Park fishing pier; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 12 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR THE VERMILLION HILLS FOOTBRIDGE

Member Boraski moved to authorize advertisement for the Vermillion Hills footbridge project; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 13 CONSIDER STIPULATIONS TO SETTLE IN APPEAL OF BHAILAL PATEL V. BUCKS COUNTY BOARD OF ASSESSMENT APPEALS ET AL, TAX PARCEL # 13-036-221, DOCKET # 2010-12356

Member Galloway moved to accept the stipulations to settle in appeal of Bhailal Patel v. Bucks County Board of Assessment Appeals et al, tax parcel # 13-036-221, Docket # 2010-12356 for 11 Ellerdale Road; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 14 CONSIDER STIPULATIONS TO SETTLE IN APPEAL OF BHAILAL PATEL V. BUCKS COUNTY BOARD OF ASSESSMENT APPEALS ET AL, TAX PARCEL # 13-028-037, DOCKET # 2010-12362

Member Galloway moved to accept the stipulations to settle in appeal of Bhailal Patel v. Bucks County Board of Assessment Appeals et al, tax parcel # 13-028-037, Docket # 2010-12362 for 951 Lincoln Highway; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 15 CONSIDER STIPULATIONS TO SETTLE IN APPEAL OF BHAILAL PATEL V. BUCKS COUNTY BOARD OF ASSESSMENT APPEALS ET AL, TAX PARCEL # 13-028-033, DOCKET # 2010-12366

Member Galloway moved to accept the stipulations to settle in appeal of Bhailal Patel v. Bucks County Board of Assessment Appeals et al., tax parcel # 13-028-033, Docket # 2010-12366 for 971 Lincoln Highway; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 16 MINUTES – AUGUST 15, 2016

Member Dence moved to approve the minutes from August 15, 2016; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 17 ENGINEERS REPORT

Mr. Sullivan said the Three Arches project is complete. For the 2016 Road Program, we had a pre-construction meeting with General Asphalt. We expect that project to run about five days. Howley will start toward the beginning of October and they hope to be done in about four weeks. We have an agreement with J. D. Morrissey for the work they still need to do. Work is required to be done within thirty days of commencement. The residents for both portions of the road program have been notified and will be kept up to date. Member Dence moved to approve the August Engineers report dated September 14, 2016; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 18 BILL LIST

Member Dence moved to approve the bill list in the amount of \$1,887,827.38; Member Boraski 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 held an Executive Session to discuss a matter of potential litigation. The board also heard a presentation from individuals involved in a township project. The board did not take any action or any vote. The board also discussed a collaborative bargaining agreement, a personnel matter, and another matter of potential litigation. Mr. Noah Marlier was present this evening to sit in for Ms. Gallagher.

ITEM # 20 POLICE CHIEF REPORT

- Chief Wilcox said the Stadium Restaurant raised \$2,100 to help off-set the cost of vests for our new police officers. In addition, DV3 donated \$200 and Rob's Towing donated \$750.
- Coffee with a Cop will be held on Wednesday from 9-10:30 a.m. at IHOP.
- The Great Shredder Event will be held on October 22nd.
- There will be a cruise night event on Sunday, October 2nd at the Falls Township Community Park. The organizer is asking participants for a donation to go towards new equipment for the police department.
- Chief Wilcox commented on the heroin epidemic overdoses. Three weeks ago, we lost another resident, a 53-year old gentleman. Chief Wilcox said today starts Opium and Heroin Awareness week. Member Boraski spoke about the use of Narcan. A lot of the incidents are recurring incidents with the same people. The police department's enforcement with our drug infestation continues.
- We had a fourth homicide this year. It is a very sad ordeal.
- Bicycle patrols continue. The last one was two weeks ago.
- The Falls Township Citizens Police Academy is in its second week. If anyone else is interested in joining, it is not too late to participate.

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- There was an article in today's newspaper. It mentioned Officer John Yeager who does excellent work.

Member Rocco said it is great that the community is helping out with the police, but some of the public think the township is not buying vests. That is not the case. This board always takes care of those needs. It is people in the community who came up with the idea of raising funds for vests. Chief Wilcox said the cost of supplying our two new officers with vests is \$650-\$700 and the carrier is another \$200. This will supply our two new officers and one more we are planning to hire soon. A reminder to the public, if you see anything suspicious going on, please pick up the phone and report the issue.

ITEM # 21 MANAGER COMMENT

- A. Member Galloway moved to approve the purchase of 20 bare-root trees at the cost of \$500; Member Boraski seconded the motion; all board members were in favor. (5-0)
- B. Manager Gray announced new businesses in the township. They are: Drop Ship Parts, Lawless Turnkey, and JC Tax Services.

ITEM # 22 BOARD COMMENT

Member Rocco said the new township building is greatly needed.

Member Dence – no comment.

Member Galloway – no comment.

Chairman Harvie said there is one open position on the Environmental Advisory Council and we have two people who are interested in the position. The board will come back to this appointment at another time. Chairman Harvie said the state has made some changes in regard to the legality of medical marijuana. The township is currently looking at this. We do have a draft ordinance that we can advertise that will start putting some ideas where these places can be located. Member Dence moved to advertise the ordinance regarding amendment of Chapter 209 for the section relating to the Medical Marijuana Act; Member Boraski seconded the motion; all board members were in favor. (5-0) Chairman Harvie thanked board members for a very good meeting and echoed fellow board member comments about the new township building.

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 8:48 p.m.



Jeffrey Rocco, Secretary