

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

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 Dence who had a work commitment. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

PRESENTATION TO THE POLICE DEPARTMENT

Members of the Rat Pack Car Club made a presentation and donation to the police department. Mr. Edward Begley said they held a cruise night and raised \$800 to go toward the purchase of a ballistic vest for one of the new police officers. Chief Wilcox thanked the organization. Chairman Harvie also thanked the car club. He said they have not solicited any groups to do this. They thought of this on their own and wanted to show their support and generosity for our police department.

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

Mr. Guido Mariani wished his fellow marines a Happy Birthday. Mr. Mariani said he is concerned over the usual low turnout of voters on Election Day. He said if this continues and people don't pay attention, one day our government may say they no longer need your vote. Mr. Mariani said he has an aunt in Ohio and when it snows, the government clears the sidewalks and driveways for their senior residents. Mr. Mariani would like the township to reconsider our present system for leaf collection as it is both inconvenient and expensive. The people who don't bag their leaves create a hazardous environment. Mr. Mariani said the Chairman mentioned that we have more seniors in Falls Township than other townships. Out of our 35,000 residents, 12.7% of them are 65 years of age or older and almost 22% are between the ages of 44 and 64 years of age. The cost to our seniors for leaf removal now is up around \$200. Vacuum services do not have to be provided by the township. There is a lot of competition between the several leaf service companies who provide this kind of service and they would love to have a contract with the township. Member Rocco asked how much it would cost for this type of service. Manager Gray said they did look into this and he will forward the information to board members.

Mr. Bob Alexis asked when the township would be fixing the Vermillion Hills bridge. Chairman Harvie said they are getting open space money for that. Mr. Sullivan said it

Board of Supervisors – November 7, 2016

would be finished by next spring/summer. Mr. Alexis asked why the township has to have a Public Works Director. Chairman Harvie said Mr. Lawson was hired in February. The decision was made because of a variety of things for example, overtime, staffing, and having a foreman who was also in the union. They did a cost analysis of the overtime vs. what they would be paying for Mr. Lawson's salary. Mr. Lawson will be an administrator and not part of the crew. Mr. Alexis said Mr. Lawson's truck is at home lot of the time and taxpayers also pay for his gas. Mr. Alexis spoke about a couple of streets in and around Vermillion Hills that need paving. Chairman Harvie said there have been several mill and overlap projects. A large area of Vermillion Hills was done before he came on the board. They rely on the road crew to give them input. Mr. Alexis asked how much was spent on the Three Arches building and asked about other organizations being interested in that building. Chairman Harvie said they did explore partnering with other organizations, but no one was interested. With all of the renovations, \$90,000 was spent. Mr. Alexis suggested that Mr. Andrews take a look at the walkways at the park.

**ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 25 YARDLEY AVENUE
TMP # 13-020-285 – REPLACE FENCE – WESTERN RED CEDAR**

Member Rocco moved to approve the Certificate of Appropriateness to replace the fence at 25 Yardley Avenue, TMP # 13-020-285; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 3 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR THE
MILL CREEK PARKWAY & LEVITTOWN PARKWAY
INTERSECTION PROJECT**

Member Galloway moved to authorize advertisement for the Mill Creek Parkway & Levittown Parkway intersection project; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 4 CONSIDER PROPOSALS FROM THE BUCKS COUNTY
CONSORTIUM REGARDING THE PURCHASE OF ROCK SALT
FOR 2016-2017**

Member Galloway moved to accept the Bucks County Consortium Salt Bid from Morton Salt for the purchase of rock salt for 2016-2017 in the amount of \$56.13 a ton delivered; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 5 CONSIDER BUCKS COUNTY MUNICIPAL OPEN SPACE
PROGRAM DECLARATION OF COVENANTS, CONDITIONS, AND
RESTRICTIONS**

Ms. Gallagher said this is a program declaration of covenants, conditions, and restrictions that were initially prepared by the county related to the open space projects the township will be conducting later in the year. Because two of the projects are located within the community park, they had to separate out small portions so the entire park was not

restricted. We forwarded the changes to the County Open Space Director and are waiting to hear back that our changes were approved. Member Boraski moved to accept the Bucks County Municipal Open Space Program Declaration of Covenants, Conditions, and Restrictions, subject to final approval by the county and the solicitor's office; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 6 CONSIDER RESOLUTION FOR KALIMAR PROPERTIES, LLC, FOR THE SEWAGE FACILITIES PLANNING MODULE

Manager Gray provided information relating to this resolution. Member Galloway moved to approve Resolution # 16-38 for Kalimar Properties, LLC, for the sewage facilities planning module; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 7 CONSIDER PRIVATE SANITARY SEWER MAINTENANCE AGREEMENT BETWEEN FALLS TOWNSHIP AND KALIMAR PROPERTIES, LLC

Chairman Harvie said in conjunction with the previous item, this is making sure the property owner understands they have to maintain their system and if they fail to do so and we have to do it or hire someone for this, we will lien the property to make sure we get paid. Member Rocco moved to approve the agreement for sanitary sewer maintenance between Falls Township and Kalimar Properties, LLC; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 8 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 209 – ZONING ORDINANCE – FOR THE PURPOSE OF AMENDING SECTIONS RELATED TO THE HC-HIGHWAY COMMERCIAL, MPM-MATERIALS PROCESSING AND MANUFACTURING, AND FM—FARMING AND MINING DISTRICTS RELATED TO THE MEDICAL MARIJUANA ACT

Chairman Harvie introduced this item and provided some background relating to the Medical Marijuana Act. Mr. Clarke said the state passed the Medical Marijuana Act and we have been waiting for them to give us some guidelines for those who distribute and those who grow and process medical marijuana. We have drafted this ordinance which lists certain restrictions for the medical marijuana dispensary and for the medical marijuana growers and processors. When the state comes out with guidelines, we may need to change this ordinance, but without this, someone could go anywhere in the township. This ordinance lists all areas of the township that are appropriate for this particular type of use. This has been advertised and we have received a letter from the Bucks County Planning Commission. There are several changes in the ordinance tonight. There is a sentence that was duplicated in a few spots and should be eliminated. None of the changes would constitute a substantial amendment which would require this to be re-advertised. Mr. Clarke reviewed the changes. Member Galloway moved to open public comment; Member Rocco seconded the motion; all board members were in favor. (4-0) Mr. Guido Mariani wants to

be sure that these are for new processors coming in and they can't adopt or hide in our current ordinances where the present ordinance is not sufficient to control the use coming in. Mr. Clarke said the first part of the ordinance is where it describes a medical marijuana dispensary or medical marijuana grower/processor. In order to have a license, you must apply to the Department of Health and you must be registered with the Department of Health and once they do that they can't go and call themselves something else and go into a different area. Mr. Gabe Truno spoke about his background and said he suffers from PTSD. He commends the township for taking this step. This is helping people and it is a type of medicine. When you put this program in place, please don't forget you are helping patients. Mr. Truno said he fought for this law in Harrisburg with 30 mothers with epileptic children who had seizures on the Capitol steps. This law requires oil only. Chairman Harvie said you are right; there are certain medical conditions where it does help. Ms. Angela White said she is one of the people who would be interested in applying for a dispensary. She has worked in Falls Township as a health clinician for over 20 years and said this does work. This is also highly regulated. We have wonderful support from our governor and it a true medicine which helps people with a variety of diagnoses. The state is taking its time in ruling out recommendations. She and her group have participated in every one of the questionnaires the state has asked. She has a safety plan, have met every single recommendation, and gone beyond their recommendations. If they are granted approval to dispense medical marijuana, their plan for security is beyond what is recommended. The state has approved the medication to be administered through lotion, oil, or pills. No one will be smoking marijuana. The leaf is not legal. She has seen the benefits from cancer patients who have benefited from this medicine. She does believe the state is taking this very seriously. Those who are truly involved in this really do support this. It helps people with PTSD and children with seizures. They would be a pharmacy and have pharmacists on premises while they are open. Member Rocco moved to close public comment; Member Boraski seconded the motion; all board members were in favor. (4-0) Chairman Harvie said as far as locations of these facilities, there are distance restrictions for proximity to schools, daycare centers, public parks, places of worship, and community centers. Dispensaries would be allowed in a highway commercial and the processors/grower facilities would be allowed in farming/mining and materials processing and manufacturing. Member Rocco moved to adopt Ordinance 16-05 to amend Chapter 209 – Zoning Ordinance – for the purpose of amending sections related to the HC-Highway Commercial, MPM-Materials Processing and Manufacturing, and FM-Farming and Mining Districts related to the Medical Marijuana Act; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 9 CONSIDER AUTHORIZATION FOR ADVERTISEMENT
AMENDING CHAPTER 184 – SEWERS AND WATER – SECTION I –
DEFINITIONS AND TO REPEAL AND REPLACE ARTICLE V –
HOLDING TANKS AT SECTIONS 13 THROUGH 22 - INCLUSIVE**

Ms. Gallagher said this is to amend the township code requiring sewer and water. This would require certain property owners to pump and haul sewage from the site rather than connecting through the public sanitary sewers. Member Galloway moved to authorize advertisement amending Chapter 184 – Sewers and Water – Section I – Definitions and to

Board of Supervisors – November 7, 2016

repeal and replace Article V – Holding Tanks at Sections 13 through 22 – Inclusive; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 10 MINUTES – OCTOBER 17, 2016

Member Galloway moved to approve the minutes from October 17, 2016; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 11 EXECUTIVE SESSION

Mr. Clarke said prior to tonight's meeting, the board held an Executive Session to discuss a matter of real estate regarding the potential purchase of real estate, a personnel matter, and potential litigation.

ITEM # 12 POLICE CHIEF REPORT

- Police Chief William Wilcox said the shredder event was very successful.
- The drug take back event netted 174 pounds of drugs. This was an all-time high.
- Over the past few weeks, the police department was asked to work in conjunction with the Secret Service for the Vice President. Our police department did a great job.
- Chief Wilcox said they have been involved in a DNA bank. Of the 34 or 35 police departments involved, Falls Township has been one of the leading components of putting samples into that bank. As a result of the DNA bank, our rate of return has been fabulous.

ITEM # 13 MANAGER COMMENT

- A. Member Galloway moved to approve escrow release # 3 for Morrisville Commons in the amount of \$70,058.70; Member Rocco seconded the motion; all board members were in favor. (4-0)
- B. Member Rocco moved to approve the land development extension of time for Big Bear at 925 Old Lincoln Highway to March 15, 2017; Member Galloway seconded the motion; all board members were in favor. (4-0)
- C. Member Rocco moved to approve the extension of time for 1449 Fallsington-Tullytown Road to December 19, 2016; Member Galloway seconded the motion; all board members were in favor. (4-0)
- D. Manager Gray has Burger King Family Dining Services mylars ready for signature.

ITEM # 14 BOARD COMMENT

Member Rocco – no comment.

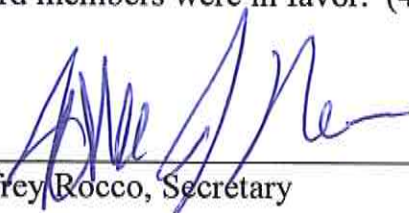
Member Galloway said tomorrow is Election Day. He hopes that everyone will vote.

Board of Supervisors – November 7, 2016

Member Boraski nominated Mr. Tom Hughes to the Planning Commission for the term set to expire at the end of 2017; Chairman Harvie seconded the motion; all board members were in favor. (4-0)

Chairman Harvie spoke about the Election and the lack of enthusiasm about some of the candidates who are running. We will have a new President and also a very unpopular President. There are already concerns about people accepting the results and backlashes of different kinds. We certainly hope the government will put aside any differences about personal beliefs and will focus on issues. We have been through a lot with our country. This year, people say we have never been so divided but we had a civil war 150 years ago in which 600,000 lives were lost. We survived and overcame. No matter how bad you think the President will be, they will only be here for four years and then we will have another one. Remember, as an American, we need to help one another. Chairman Harvie said Veteran's Day is this Friday. It is a time to honor anyone in the military no matter how or when they served. They deserve our respect and our thanks. Chairman Harvie thanked all veterans as well as Member Galloway for his service.

Member Rocco moved to adjourn the meeting; Member Galloway seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 8:00 p.m.



Jeffrey Rocco, Secretary