

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

|                                      |                |
|--------------------------------------|----------------|
| <b>JEFFRY E. DENCE, CHAIRMAN</b>     | <b>PRESENT</b> |
| <b>JEFF BORASKI, VICE-CHAIRMAN</b>   | <b>PRESENT</b> |
| <b>JEFFREY ROCCO, SECRETARY</b>      | <b>PRESENT</b> |
| <b>BRIAN M. GALLOWAY, SUPERVISOR</b> | <b>PRESENT</b> |
| <b>JOHN PALMER, SUPERVISOR</b>       | <b>PRESENT</b> |

The meeting commenced at 6:30 p.m. with roll call and pledge to the flag. All Board members were present. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones.

Chairman Dence asked for a moment of silence in memory of Mr. Guido Mariani. Mr. Mariani was a regular at our meetings and he was a good friend who will be missed.

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

No one called in for public comment.

**ITEM # 2 NORTHPOINT DEVELOPMENT, LLC- PHASE 1 – PRELIMINARY  
AND FINAL LAND DEVELOPMENT- RIVER ROAD – TMP # 13-051-  
001**

Mr. Michael Meginniss (Begley, Carlin & Mandio) represents the applicant. Also present were Mr. Eric Clase (P.E.), Mr. Matt Gaston (NorthPoint Development Manager) and Mr. Greg Glitzer (Gilmore and Associates). Also present were Mr. Jeremy Michael (NorthPoint Director of Development) and Mr. Matt Gaston (NorthPoint Development Manager). Mr. Meginniss said this pertains to phase 1 which is approximately 1M sq. ft. in size, also known as the mother parcel. It is a little over 100 acres. Everything is will comply. They have two standard waiver requests which relate to existing features and curbing. The planning module is usually approved by the board before construction. They are requesting to enter into an agreement with the township that would permit them to begin construction because we are not sure at this time when we will have the planning module in place. We are not requesting any Use and Occupancy permits to be granted. Mr. Gaston introduced his team members. The phase 1 area building is just over 1M sq. ft. It will be 49'H, have 196 dock doors, 165 parking stalls, 475 employee parking spaces and 18 ADA spaces. There will be four drive-in entrances. Their team consists of Begley & Carlin, Gilmore and Associates and their in-house architect. This project has the opportunity to create 5,000 to 10,000 jobs. Mr. Gaston also provided an overview of the truck traffic. Mr. Jones said they

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worked extensively with Gilmore to get to the plan to a clean condition. They have satisfied all of our township comments regarding storm water management and did a good job to comply with township requirements. Member Rocco asked Manager Takita if he could distribute the PowerPoint presentation. Member Boraski asked about the waivers and if the waiver for curbing was consistent as we go through the development. Mr. Gaston said yes and on the main roads, it is mostly because it is a drainage issue that will be an overall site constraint. Member Boraski said he had a vision of employees wanting to walk during their lunch break. Mr. McGuinness said NorthPoint is committed to installing sidewalks and you will see them on one side of the street. We will be proposing to build new construction across Sinter and we will defer to the board as to which side of the street they want the sidewalks installed. It was our vision and we are committed to installing sidewalks so that will be something that will take place here. Member Palmer said for the energy conservation you mentioned the roofs will be large flat roofs, ideal for a grain roof and solar panels. He asked them to elaborate on this. Mr. Gaston said to incorporate solar and grain would be hard in this climate. Mr. Jeremy Michael (Director of Development) said it is tough to make the finances work the way the current electric is set up, but we have heard a lot of interest from different tenants coming in. A lot have requested and inquired about solar so as we go forward, if there is future interest in this, we will continue to evaluate it. Mr. Meginniss said he believes you are referencing a recommendation from the County Planning Commission where they are encouraging NorthPoint to use alternate forms of energy generation. It is a recommendation coming from the County rather than from something that NorthPoint had formerly proposed. Mr. Jed Momot said this came up as a planning comment. We have looked at installing solar on our buildings throughout the U.S. This is typically a tenant-driven decision. The buildings are equipped to have solar arrays installed on the roofs and it is in very few markets that it makes sense. This is probably not a market that would gain much traction, but the buildings are set up like that if a tenant has a sustainable goal. Ms. Gallagher said if the board is agreeable to counsel's suggestion regarding the planning module, then we would amend the resolution accordingly. Member Rocco asked who is at risk with that amendment. Ms. Gallagher said the applicant is. If they do not get the planning module approval from the DEP, then they will not be able to get the final U&O until that final approval is received. Member Galloway moved to open public comment; Member Palmer seconded the motion; all board members were in favor. (5-0) Ms. Toni Battiste said on the drawings, you have listed bio retention basins. Are these for heavy rainfall or is that bio something else? Mr. Eric Clase said this is for large storm events. The water washes off into these basins and then the water gets cleansed before it goes back into the ground. For large storms it goes into an outlet pipe at a slower rate than is typical for a normal run off. Ms. Battiste asked many trucks can be at the docks if all the spots are filled. Mr. Michael said 194 is the maximum number of docks that can be installed at the building. Member Galloway moved to approve Resolution # 2021-8 as amended, for NorthPoint Development LLC, Phase 1, preliminary and final land development, River Road, TMP # 13-051-001; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 NP FALLS TOWNSHIP INDUSTRIAL, LLC – MINOR SUBDIVISION  
SINTER ROAD – TMP # 13-051-001**

Mr. Meginniss said this is for a 54-acre subdivision off of the mother parcel. There is no new construction that is proposed. It is adjacent to Sinter Road. It will be utilized as a wastewater treatment plant. We have three waivers folded into two waivers. The natural resource protection and the soil species are considered one waiver and the other waiver is for monuments. When it comes to the natural resource protection and the soil species those are just deferrals, we are not asking for full waivers. The only real waiver request pertains to monument installations. It is not possible to install the monuments given the high mark of the Delaware. We addressed with our last presentation the sidewalk installation. We are acknowledging to install sidewalks but given the parcel is a wastewater treatment facility, what they are suggesting is that there be an analysis from the board as to where they prefer the sidewalks to be installed. Everything else is will comply. A short presentation followed. The new facility will replace the outdated existing facility currently on site and will serve the Keystone Trade Center and MMA customers in the region. MMA plans to have the facility operational within the next four years. Chairman Dence said there is already a plant there, but it is very outdated. This replaces an existing plant. Chairman Dence said there is an agreement between the Township of Falls Authority (TOFA) and the Morrisville Municipal Authority that does compensate the TOFA so this is a good thing for the township residents. Member Palmer would also like the presentation sent to them. Member Galloway moved to approve Resolution # 2021-9 for NP Falls Township Industrial LLC, minor subdivision, Sinter Road, TMP # 13-051-001; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 TAVO PROPERTIES, L.P. – PRELIMINARY AND FINAL LAND  
DEVELOPMENT – 2 TOWPATH ROAD – TMP # 13-047-126-001**

Mr. Nate Fox (Obermeyer Rebmann Maxwell & Hippel) represents the applicant. Also present were Mr. David Taylor (TAVO Properties) and Mr. Daniel Humes (Van Cleef Engineering). Mr. Fox said his client is the owner of TAVO Properties, located at 2 Canal Road, TMP # 13-47-126-001. The property is located in the PIP zoning district. They are looking for eight waivers with preliminary and final approval to construct a 77,100 sq. ft. addition to their existing property. The waivers deal with parking, curbed raised planting beds, street trees and a partial waiver from showing features within 200 ft. of the property. Member Rocco said as far as the waivers, they are all standard. Mr. Taylor said they manufacture cardboard packaging, printed cardboard packaging and folded cartons. Member Palmer said with just coming off the NorthPoint construction, there will be a lot of truck and car traffic taking Tyburn Road. You are asking for a waiver of the traffic study. Did you take that into consideration? Mr. Fox said yes. Mr. Humes said the traffic study is limited to a typically 50K sq. ft. building expansion. This is 77K on top of an existing 165K sq. ft. Primarily, the space they are asking for is mostly all warehouse space. The paper products are received and shipped from the rail facility at the back of the building as well as the existing eight bay doors for tractor trailers in the front of the building. This expansion only has two additional truck bay doors and they really don't anticipate much more truck traffic than they normally see, maybe one or two here and there. In their opinion, it really

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did not warrant a full traffic study. Member Palmer asked about the planting of the street trees and in lieu of that if they would be willing to donate trees to the Shade Tree Commission. Mr. Humes said along New Bold Road and Canal Road there are existing PECO lines. Street trees would not be beneficial for the township or the owner. There are also underground utilities in both areas. We don't really allow for street trees for those purposes. There are currently no street trees along the property. What they are doing is on the corner they will create an above-ground storm water management facility which will maintain grass and will be a natural feature for that corner. The existing parking lot is so close to the right of way there is no room for the trees. All of their work here is in the rear of the building. Mr. David Taylor said he does not see any reason why they wouldn't be able to donate trees. Mr. Fox asked if that is something they would discuss with Mr. Jones. They will work that out with Mr. Jones in their development agreement. Member Boraski said it was great to see you tonight. It is nice to see that sizable addition made to the back. Member Galloway said he is glad to see your business is growing. Ms. Toni Battiste said looking at the drawings that were posted online, it looks like there are several lagoons and infiltration ponds. Some may already be there and some may be going in. What will be in those infiltration ponds and lagoons? Mr. Humes said there will be two infiltration ponds. The one facility is a below ground facility adjacent to the proposed warehouse. The roof leaders will drain underground, and it will allow water to infiltrate into the ground. The other facility is out by the corner of Canal and New Bold Roads and that will be an above ground infiltration facility where the stormwater fills up the facility for larger events and allows the water to infiltrate through the soils back into the ground water table. Ultimately, what they are proposing are far reduced rates and volumes from the pre-existing conditions. We worked with Mr. Jones to make sure those rates and volumes are reduced. Member Galloway moved to approve Resolution # 2021-10 for TAVO Properties, preliminary and final land development, at 2 Towpath Road, TMP # 13-047-126-001; Member Palmer seconded the motion; all board members were in favor. (5-0)

### **ITEM # 5 BEAUTY 84 – CONDITIONAL USE – 84 EVERTURN LANE – TMP # 13-026-033**

Member Galloway moved to open the Conditional Use Hearing; Member Palmer seconded the motion; all board members were in favor. (5-0) Ms. Gallagher said this is a Conditional Use Hearing relating to the application requesting Conditional Use approval to allow the property at 84 Everturn Lane, Levittown, PA, Bucks County TMP # 13-026-033 to be used as a single-chair hair salon in addition to existing family residence on the property, which is located in the NCR zoning district. This was originally scheduled for a hearing at the February meeting but that was allowed to be continued in order for the applicant to provide notices to the neighboring property owners as required by the zoning ordinance. The applicant has submitted the notices to our office for review and we have found them to be acceptable for consideration of this matter. We have included a copy of the advertisement for this hearing as well as proof of posting. The property was posted prior to the February hearing and it was also posted prior to tonight's meeting. Mr. Steven Proscia and Ms. Ella Proscia were both sworn in. The application is marked as Exhibit T-1. Mr. Proscia previously provided information to the board. They provided notification to the neighbors

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and all of his neighbors signed an acknowledgement to what they are doing. Mr. Proscia explained what they intend to do. They plan to serve one client at a time by appointment only. They will have a private entrance and be equipped with one chair for hair services, a wash basin, private lavatory, and laundry facility. Designated parking will be provided for off-street parking. Hours of operation will be determined by the needs of the clients and the availability of the salon. The intent of the salon is to have the least amount of negative impact to the neighborhood. We will provide services to the client in need. Chairman Dence said he lives on Independence Drive and there is a gentleman down the street from him who operates a barber shop in his garage. If you drove down the street, you wouldn't even know it was there. Board members wished the Proscia's good luck. Ms. Gallagher said at the Planning Commission meeting there was discussion as condition of the Zoning Ordinance to only allowing one unrelated employee of the business. Are you agreeable to that condition? Mr. Proscia said yes, he is agreeable to that condition. He has had the opportunity to review the zoning ordinance with the standards for the Conditional Use application and said he is agreeable with them. Member Galloway moved to close the public hearing for 84 Everturn Lane; Member Palmer seconded the motion; all board members were in favor. (5-0) Member Galloway moved to approve the Conditional Use for Beauty 84, 84 Everturn Lane, TMP 13-026-033; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 6 CONSIDER STIPULATIONS TO SETTLE IN APPEAL OF SHURGARD STORAGE CENTER, INC., TAX PARCEL # 13-003-020-003, DOCKET # 2020-06804**

Chairman Dence said this is an appeal to the Pennsbury School Board. Ms. Gallagher said this is a tax assessment appeal. They are largely negotiated by the school district. The school district has approved this proposed settlement and is being offered to the Board of Supervisors who will also need to approve. Member Galloway moved to approve the settlement agreement between Shurgard Storage Center, Inc., TMP # 13-003-020-003, Docket # 2020-06804; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 7 CONSIDER AGREEMENT WITH MILLENNIUM STRATEGIES, LLC FOR GRANT WRITING OPPORTUNITIES FOR FALLS TOWNSHIP**

Manager Takita said this item is to approve a one-year agreement with Millennium Strategies, LLC for grant-writing services under the same terms and conditions as the previous year. The rate for this agreement is \$3,000 per month and can be terminated at any time. Last year we received \$1,200 in grant funding. We have a lot of projects right now in the queue for grants and he is interested in extending this contract for another year. We have \$174K in grant applications that have been submitted and are pending review and another \$67K in grant applications that were denied last year. We would like to try this for one more year. Member Palmer asked how this would work. Manager Takita said he is the primary point of contact but if a certain department has a project, they are secondary point of contact. They continuously look for grants every month and are pro-active in their approach. Member Boraski said he knows they represent one of our neighboring townships.

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Did they also struggle in getting grant money? Manager Takita said he did not follow that township, but they did highly recommend using them. Chairman Dence said he is willing to try this for one more year since last year was a difficult year. Member Galloway moved to approve the agreement with Millennium Strategies, LLC in the amount of \$3,000 per month for grant-writing opportunities for Falls Township; Member Palmer seconded the motion; all board members were in favor. (5-0)

### **ITEM # 8 CONSIDER NOTICE OF INTENT TO AWARD BID FOR TREE TRIMMING AND REMOVAL OF TREE SERVICES IN FALLS TOWNSHIP**

Chairman Dence said we spent a lot of money on this last year. This is something he would like to consider putting on hold this year until we know what we are doing. Maybe even hire an arborist to evaluate some of the township trees. Member Galloway also agrees with an arborist and a plan. Member Rocco asked if we could approve this as-is for emergencies. Ms. Gallagher said if there is a true emergency then the township can deal with that on an individual basis. Member Boraski said he thought when we set this contract, we also set their fees and rates so they could not come in and charge whatever they want. Ms. Gallagher believes the contract is only set up so they only come in when we call them. Member Boraski asked if we want to re-visit this in June or July or approve this tonight in case a tree falls. Mr. Lawson said we have about seven or eight dead trees that need to come down behind Eventide Lane. PECO needs to shut down the power and they never came out to shut down the power. We can do it with approval from the manager. Send an arborist out there and get approval before but these trees are totally dead. Mr. Lawson said we are not guaranteeing any work at all. Member Boraski said we are just guaranteeing the rates of whoever gives the best rates. We are not guaranteeing them work. Member Galloway said he would like to know how much we have spent in the past number of years. Member Boraski in past years weren't we approving up to \$75K or a certain number? Mr. Lawson said there is still not a plan in place. Where dead trees are falling on properties is where we go. There has not been any tree maintenance ever done in the township. He believes that is why we are so far behind. Mr. Lawson said we have had discussions about trying to get a plan in place and he is in favor of that. He is worried about the trees that need to come down. Mr. Clarke said you don't need to act on this tonight since we have 45 days to act. We need more clarity as to who is authorizing this company to go out and take down trees. I think it is Mr. Lawson or Mr. Takita. You have until next month if you want to wait. Member Boraski said this is about having a contractor's rates approved for the 2021 season if we need them. This isn't about spending money right now. Member Rocco moved to approve the bid from Kent's Quality Tree Service for tree trimming; Member Boraski seconded the motion; all board members were in favor with the exception of Chairman Dence and Member Galloway who both voted no. (3-2)

**ITEM # 9 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE FALLS TOWNSHIP COMMUNITY PARK HOCKEY RINK IMPROVEMENT PROJECT**

Mr. Jones said bids for the Falls Township Community Park hockey rink improvement project were publicly opened on March 11, 2021. One bid was received and is from General Asphalt Paving Co. in the amount of \$110,021.50. This amount is over the budgeted amount. It was recommended to reject the bid, re-scope the project, and then go out to re-bid. Member Galloway moved to reject all bids and re-bid this project; Member Rocco seconded the motion; all board members were in favor. (5-0)

**ITEM # 10 CONSIDER THE 2021-2022 STONE AND ASPHALT BIDS FOR FALLS TOWNSHIP**

The Bucks County Consortium Road Material bid was opened by New Britain Township and the results were forwarded to Falls Township. It is recommended that the board award the Consortium Road Materials bid to two different companies. Member Boraski moved to accept the Consortium bid for the stone and aggregate items and blacktop and binder material to Eureka Stone Quarry Inc., and the cold patch material to American Asphalt Inc.; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 11 CONSIDER PURCHASE OF A NEW VEHICLE FOR THE POLICE DEPARTMENT**

Chief Whitney said this is a vehicle for use in their detective division and is for a 2020 Ford, replacing a 2008 Malibu. Until recently, the detective units were not part of their fleet replacement plan. They are now included in this plan so their vehicles can be replaced on a regular basis. This was part of their 2021 capital budget. Member Palmer asked if they have another source to get vehicles via the County or Federal Government and do they supply you with vehicles? Chief Whitney said the County has a program as part of their Asset Forfeiture Program. They supply vehicles from people involved in drug dealing but they are only permitted to be used in drug investigations. They are not permitted to be used for every day general use by detectives. We do have them and we do use them but they are not for everyday use by detectives. Member Boraski asked if the detectives get assigned to a car or is the car used by the detective unit to use. Chief Whitney said the supervisor assigns a car to each detective. It will be assigned to an individual detective so they can keep their equipment in the vehicle. Member Galloway moved to approve the purchase of a Ford Fusion from Fred Beans in the amount of \$20,895; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 12 CONSIDER AUTHORIZING THE HIRING OF SAFE CITY SOLUTIONS FOR THE LIEUTENANT'S EXAM**

Chairman Dence moved to table this agenda item; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 13 CONSIDER AUTHORIZATION FOR ADVERTISEMENT AMENDING PARKS ORDINANCE CHAPTER 168 – UPDATING SECTION 17 REGARDING BOATING REGULATIONS, USE OF FLOATATION DEVICES AND PROHIBITING WADING; UPDATING SECTION 20 PROHIBITING THE RELEASE OF HELIUM BALLOONS AND AERIAL LUMINARY LANTERNS IN TOWNSHIP PARKS; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE**

Ms. Gallagher said this is an ordinance that will bring the township’s Park and Rec ordinance in line with the Pennsylvania Game Association regulations and will require the use of flotation devices to be used by all individuals and not just minors, it will prohibit the release of helium balloons and luminaries and it will also prohibit wading in the lake to prevent possible injuries. Member Palmer asked if they have any non-profit events at the park where they schedule balloon releases. Mr. Andrews said not typically non-profit events but maybe families doing that in memory of a lost family member. Member Galloway moved to authorize advertisement amending Parks Ordinance Chapter 168 – Updating Section 17 Regarding Boating Regulations, Use of Floatation Devices and Prohibiting Wading; Updating Section 20 Prohibiting the Release of Helium Balloons and Aerial Luminary Lanterns in Township Parks; Containing a Savings Clause and Providing for an Effective Date; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 14 CONSIDER AUTHORIZATION FOR ADVERTISEMENT AMENDING HAZARDOUS SUBSTANCE ORDINANCE CHAPTER 139 – DEFINING RESIDENTIAL HEATING OIL STORAGE TANK; ADDING A REQUIREMENT TO OBTAIN A RESIDENTIAL MECHANICAL PERMIT TO REMOVE OR ABANDON A RESIDENTIAL HEATING OIL STORAGE TANK; ADDING A REQUIREMENT TO PERFORM A SOIL SAMPLE AND ANY NECESSARY REMEDIATION; CONTAINING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE**

Manager Takita said currently the building department has a policy requiring homeowners wanting to remove oil tanks to get a permit and soil samples after the tank has been removed. This ordinance will formalize that policy. Member Galloway moved to authorize advertisement amending Hazardous Substance Ordinance Chapter 139 – Defining Residential Heating Oil Storage Tank; Adding a Requirement to Obtain a Residential Mechanical Permit to Remove or Abandon a Residential Heating Oil Storage Tank; Adding a Requirement to Perform a Soil Sample and Any Necessary Remediation; Containing a Savings Clause and Providing an Effective Date; Member Palmer seconded the motion; all board members were in favor. (5-0)



**ITEM # 15 CONSIDER AUTHORIZATION FOR ADVERTISEMENT AMENDING TAXATION ORDINANCE CHAPTER 198 – UPDATING SECTION 28 BY ELIMINATING THE \$2.00 MECHANICAL DEVICE TAX DISCOUNT; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE**

Ms. Gallagher said the township offers a small discount for bills paid prior to the end of December in any given year. This is rarely taken advantage of and is getting difficult for the township to keep track of. This will eliminate the early pay discount. Member Rocco asked if anyone takes advantage of this. Manager Takita said no. Member Galloway moved to authorize advertisement amending Taxation Ordinance Chapter 198 – Updating Section 28 by Eliminating the \$2.00 Mechanical Device Tax Discount; Containing a Savings Clause and Providing for an Effective Date; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 16 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR THE 2021 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM – ELDERBERRY DRIVE**

Chairman Dence said construction should begin in mid-June. Member Rocco asked if this were full depth all the way around. Mr. Jones said yes, full-depth reconstruction for Elderberry Drive. Member Galloway moved to authorize advertisement for the 2021 Falls Township Road Improvement Program – Elderberry Drive; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 17 CONSIDER RESOLUTION FOR THE SEWAGE FACILITIES PLANNING MODULE FOR GSP MANAGEMENT – TMP # 13-040-058, 13-040-059, 13-040-057 AND 13-047-053**

Manager Takita said this is a resolution for the sewage facilities planning module for GSP Management. They are proposing to connect 124 existing mobile homes to existing public sewer in Falls Township. Parks include the Delaware Valley Mobile Home Park, Penn Park, Benny's, and the Bel-Air Modular Home Park. There are no new units proposed nor is any disturbance or construction proposed outside the minimum area necessary to install the sewer lines. This is something that came from the DEP. Member Rocco asked about construction. Manager Takita said this is for the planning module not for construction. Member Palmer asked what authority the sewage would be going to. Manager Takita said it will go to Morrisville. Member Galloway moved to approve Resolution # 2021-11, for the Sewage Facilities Planning Module for GSP Management, TMP # 13-040-058, 13-040-059, 13-040-057, and 13-047-053; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 18 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR REPEALING ORDINANCE 2017-4 AND REINSTATING CHAPTER A214 – CABLE TELEVISION FRANCHISE AT SECTION 36 – SUBSCRIBER LISTS**

Ms. Gallagher said a couple of years ago the township enacted this section of the code which would require any provider taking advantage of the township's rights of way and executing a franchise agreement to include certain privacy protections within its general terms and conditions. We have worked with representatives from Verizon over the last couple of years and they have provided us with copies of their existing privacy policies which we believe provide the same or greater protections that are in the ordinance, so we believe the residents do benefit from those provisions and the ordinance is not strictly necessary. Verizon has requested that we repeal the ordinance. Member Palmer asked about counsel's recommendation. Ms. Gallagher said Verizon has made a claim that the township is not able to enforce these provisions, it is counsel's recommendation to move forward with this. Member Galloway moved to authorize advertisement for Repealing Ordinance # 2017-4 and Reinstating Chapter A214 – Cable Television Franchise at Section 36 – Subscriber Lists; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 19 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR PROVISIONS OF CLEANING SERVICES FOR FALLS TOWNSHIP**

Manager Takita said these services are for the township building, five days per week and the community park, seven days per week. These services are to replace the full-time employee who recently retired. Member Galloway moved to authorize advertisement for provisions of cleaning services for Falls Township; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 20 MINUTES – FEBRUARY 16, 2021**

Member Galloway moved to approve the minutes from February 16, 2021; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 21 ENGINEERS REPORT**

Mr. Jones said during the month of February, there was one new earth development submitted, for Kinder Morgan, a formality due to the land development approval. Under land development, Britton Industries on M-Y Lane is substantially complete. MM Metals are looking for their TCO for their aluminum building, so they have made good progress. For KA of Fairless Hills, that is for Conditional Use. It is the WAWA on Lincoln Highway. They added a drive-through lane to their other location and want to add one to this location as well. That project will be before the Planning Commission next week and before the board in April for Conditional Use Approval. Al Rose Steel is moving along at a good pace as well as AirGas who is also inquiring about a TCO. Jonathan Way was recommended for denial by the Planning Commission, and they are working on a resolution

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before they appear before the board. Next week's Planning Commission will also hear from Lincoln Storage on Lincoln Highway. For earth disturbance updates, the St. Francis Cabrini Church project is nearing completion. In terms of township projects, there was a piling that was damaged at the Quaker Penn Park boat ramp and we are working with the manufacturer on that. We are on schedule for the April 15<sup>th</sup> opening. The 2019 Road Program is substantially complete and in the maintenance period. The 2020 Road Program has resumed. They are working on sidewalks on Simons Drive and Elbow Lane. For the 2021 Road Program, we sought authorization to advertise. Member Rocco asked if it is unusual that the 2019 Road Program is still on our list. Mr. Jones said it just went into the maintenance period. Member Galloway moved to accept the Engineers Report; Member Palmer seconded the motion; all board members were in favor. (5-0)

### **ITEM # 22 BILL LIST**

Chairman Dence summarized the bill list. Member Palmer said there are a lot of incidentals on the bill list. Member Galloway moved to approve the bill list for March 15, 2021 in the amount of \$1,966,900.35; Member Palmer seconded the motion; all board members were in favor. (5-0)

### **ITEM # 23 EXECUTIVE SESSION**

Ms. Gallagher said the board held an Executive Session prior to this meeting to discuss personnel issues, collective bargaining and potential litigation.

### **ITEM # 24 POLICE DEPARTMENT REPORT**

Chief Whitney provided the following updates:

- A. During the month of February, there were 21 out of 56 shifts where manpower was at or below minimum staffing for at least part of the shift. This amounts to 37.5% of the time in February. This is up from 30.6% in January. The objective is to be at minimum staffing no more than 25% of the time.
- B. There were 5 overdoses in February; 12 year to date. There were 0 fatal overdoses for the year. There were 1,422 calls for service for the month of February; 3,053 year to date. There were 225 medical calls in February; 442 year to date. There were 95 traffic accidents in February; 184 year to date and 58 arrests in February; 137 to date.
- C. Chief Whitney provided information on township hotels and motels.
- D. There were policy updates for Naloxone, FTSR, and QRS.
- E. Chief Whitney spoke about catalytic converter thefts.
- F. There were two road rage incidents with guns on February 14<sup>th</sup> and 17<sup>th</sup>. Other incidents included an aggravated assault at the Commons of Fallsington (February 18<sup>th</sup>), a vehicle fire at the Red Rhino Car Wash in which the occupant in the vehicle later died (February 26<sup>th</sup>), an armed robbery at the Village of Pennbrook (March 4<sup>th</sup>), and a vehicle stop on Lincoln Highway (March 8<sup>th</sup>).
- G. Chief Whitney spoke the daily blotter listed on the Crime Watch page of the police department.

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- H. There will be two shredder events for township residents. The dates are April 24<sup>th</sup> and October 30<sup>th</sup>.

Member Rocco asked about getting a social worker involved. Chief Whitney said there is an interest in expanding a program that Bensalem has but they have not yet taken additional steps in that area. It is still in the conversation stage. We have Certified Recovery Specialists for people dealing with substance abuse issues. It would be great to get a social worker on board to deal with other issues but there is a matter of funding. We are looking into partnering with other municipalities to share that burden so that is what we are looking into. Member Palmer asked about the percentage of officers who have been vaccinated. Chief Whitney said about 40-50%. Member Palmer asked if that is due to people turning it down or unavailability. Chief Whitney said it is mostly from officers who turned it down, but we do have three officers who are still on the list. Chief Whitney said we rely on the County, the Department of Health and the State to get the vaccines out to everyone. Member Palmer asked about their policy with the force wearing PPE masks when they approach anyone. Are they supposed to be wearing even if vaccinated or not? Chief Whitney said when an officer is out in the field and if there are any tactical concerns, that is when they put on a mask. If someone has tested positive or if it is a medical call or more high-risk situation, that is when the officer will wear an N95 mask and highly protect themselves, including people who are vaccinated. Member Boraski said he was told the same thing about vaccine availability. We have a few volunteer firefighters who did not make the list in time and the State has removed the first responders out of the 1A category. If you haven't received an appointment as of two Thursday's ago, they are out of that 1A category.

### ITEM # 25 MANAGER COMMENT

- A. There is a donation request in the amount of \$6,000 from the Levittown American Athletic Association. Member Boraski wanted to be sure we receive proof of insurance and proof of 501C status before we issue the checks. He hopes the township can put this into policy. Member Galloway moved to approve the donation request to the Levittown American Athletic Association in the amount of \$6,000; Member Palmer seconded the motion; all board members were in favor. (5-0)
- B. Member Galloway moved to approve the escrow release to Britton Industries in the amount of \$58,006.17; Member Palmer seconded the motion; all board members were in favor. (5-0)
- C. Chairman Dence moved to ratify the snow state of emergencies for February 18, 2021 and expired on February 19, 2021; Member Galloway seconded the motion; all board members were in favor. (5-0)
- D. There will be a Spring Yard Waste Clean Up on Saturday, April 17<sup>th</sup> and a Spring Bulk Disposal Day on Saturday, April 24<sup>th</sup>. On Saturday, April 24<sup>th</sup> from 10 a.m. to 2 p.m. there will be a Drug Take Back Collection Day which coincides with the Shredder Event.

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**ITEM # 26 BOARD COMMENT**

Member Galloway wished everyone a Happy St. Patrick's Day and said we will really miss the parade.

Member Boraski – no comment.

Member Palmer said Thursday, April 22<sup>nd</sup> is Earth Day. He asked if the township could organize something with the parks. He said this is something we should definitely give back.

Member Rocco – no comment.

Chairman Dence said last week especially, the weather started getting nice. He saw groups of kids playing outside and people walking. Be careful driving. Chairman Dence had a comment on trash, litter and dumping. He would like to use the Public Works Department to organize trash pickups. People are driving down the street and throwing trash out their windows. We will target certain areas and we will crack down on trash and dumping. We would like Manager Takita to start working on this with postings on social media. Cabot Boulevard, Rt. 1 Super Highway and Lower Morrisville Road has been a problem for a long time. In regard to trees, he hopes we can hire an arborist and have Manager Takita come up with a plan. He would like to have another Executive Session soon where Manager Takita can bring us up to speed on where we are with this. Chairman Dence spoke about Guido Mariani and said he was a guy who was always at our meetings. He always came to the meeting as well as Roland Kenny and Gallus Obert. Guido spoke about the EIT, and trash truck to pick up the leaves. At budget time he told him they were a bunch of dummies for passing the budget, but he always wished us a Merry Christmas and God bless us all. He will be missed.

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

  
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Jeffrey Rocco, Secretary

