

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

<b>JEFFRY E. DENCE, CHAIRMAN</b>	<b>ABSENT</b>
<b>JEFFREY M. BORASKI, VICE-CHAIRMAN</b>	<b>PRESENT</b>
<b>BRIAN M. GALLOWAY, SECRETARY</b>	<b>PRESENT</b>
<b>JOHN W. PALMER, SUPERVISOR</b>	<b>PRESENT</b>
<b>ERIN M. MULLEN, SUPERVISOR</b>	<b>ABSENT</b>

The meeting commenced at 7:03 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Chairman Dence and Member Mullen who both had prior commitments this evening. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Joanna Bermingham.

**PRESENTATION OF NATIONAL AWARDS FROM VETERANS OF FOREIGN WARS IS BEING PRESENTED TO RETIRED OFFICER JOHN YEAGER AND FALLS TOWNSHIP FIREFIGHTER BRIAN HUBER**

National VFW awards were presented to retired Police Officer John Yeager and Falls Township Firefighter Brian Huber. They were selected at a national level from nominees of 55 other VFW departments. They were also presented with poppy pins. There was a break in the meeting at 7:13 p.m. and the meeting reconvened at 7:15 p.m.

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

Ms. Brit Montoro (Morrisville) said she is speaking on behalf of working-class renters to talk about the need for affordable housing in Lower Bucks and in particular, the area of municipal rent control. Ms. Montoro said she has been a resident and renter for almost 10 years. While programs such as BERA and Bonus for Bucks have been helpful for keeping tenants housed, the issue of inflation and rising rents with stagnating wages persists and fewer and fewer people will be able to afford living here in Bucks County or they will suffer the unfortunate circumstances of many in the county who live on the street or in motels for waiting lists for new places to live. Ms. Montoro said there is a stigma against renters and those who live in affordable housing are often seen as a drain or problem in the community. Affordable housing proposals are often shot down by local municipalities with many homeowners saying not in my back yard, making assumptions about low-income people being undesirable. The median monthly gross residential rent in Bucks County was \$1,257 in 2019. Apartments in Falls Township range anywhere from \$1,200 to \$1,700 or more and each year since there is no state-mandated rent control, landlords can continue to increase that amount at will each year, particularly if they want to push out tenants who are lower income. Rent control can be enacted at the municipal level. Ms. Montoro requests that you

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be open to meeting with her to further discuss this issue. Member Boraski asked Ms. Montoro to forward her comments and any other information to Manager Takita so he can forward everything to the supervisors.

Mr. Ian Hycock (Commons of Fallsington) said he has a question about the township rental inspections. Manager Takita said the annual inspections are for all rental units whether single-family residential or an apartment complex. Mr. Hycock said they received an email from the Commons of Fallsington saying their township inspections were postponed until further notice and asked if the board had any further information. Manager Takita said he is not aware of why they would send out a letter but he will look into this further. Mr. Hycock will forward information to Manager Takita.

Ms. Terri Stirling said she sent emails to Manager Takita about some code issues in her neighborhood. She has issues with the dilapidated fence along 93 Makefield Road and said John Petrucci promised them a fence. Ms. Stirling said they would like the fence from 101 to 107 Winding Way replaced. There is also a rodent problem. There are mice next door to her because the homeowner doesn't elevate their wood racks. They have a zipline in the back yard and toddlers are hanging upside down. There is speeding. Ms. Stirling would like the speed monitoring device to be displayed in her neighborhood. There is a curfew of 10:00 p.m. but there are adolescents staying out after 10:00 p.m. throwing apples, going to the park, and hanging out at Sports Pizza. We have illegal motorized vehicles racing down the street. Someone is going to get killed. We have up to 15 children in the same backyard at the property where the zip line is located. It is not fair, it is not right, and it is not just for all of this to be going on. Ms. Stirling said she appreciates the board looking into this and will share the addresses in private. The fence is an eyesore and having the fence replaced would enhance the property and bring in more business to the bagel store. Member Galloway moved to close public comment; Member Palmer seconded the motion; all board members were in favor. (3-0)

### **ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 16 YARDLEY AVENUE – TMP # 13-020-293 – REPLACE EXISTING SHED WITH A NEW 8 FT BY 8 FT SHED**

Member Galloway moved to approve the Certificate of Appropriateness for 16 Yardley Avenue, TMP # 13-020-293 to replace the existing shed with a new 8-ft. by 8-ft. shed; Member Palmer seconded the motion; all board members were in favor. (3-0)

### **ITEM # 3 AIR LIQUIDE – CONCEPTUAL DISCUSSION FOR A PROPOSED USE OF THE PROPERTY – 51 MIDDLE DRIVE – TMP # 13-051-001**

A representative from Air Liquide provided information on Air Liquide's plans to renovate the property. Air Liquide is a world-wide gas supplier and they provide a lot of products to the semiconductor industry. Air Liquide has a facility on Steel Road West which has been in operation for more than 20 years. The industry is growing, and their customers need

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more of the industrial gas products they sell. They plan to grow this facility to better serve their customers. They supply nitrogen, liquid nitrogen, liquid argon, liquid oxygen, packaged gases and cylinders, some of which are of hazardous nature. They propose to put in a larger parking lot. They have two new process areas they would like to build. One is for dichlorosilane and one is silane. They would also like to build a new analytical lab. They plan to break ground this year and complete construction by the end of next year. Because their staff is growing, they have plans to expand their administration area as well. They would like to consolidate some of their older tanks and install a new tank system toward the back of their property. Air Liquide will supply the township with a site concept plan, but would like to start off with permit submission to build a larger parking lot followed by additional permits. All of the activities will be indoor with the exception of silane which will be outside. Mr. Clarke said they have not yet viewed any plans and a lot of what you are discussing sounds like it will require land development and not just permits. You would want to be getting some engineered plans and an application submitted to the township as quickly as possible. The land development process is a 90- to 150-day process. You may want to determine whether this will need land development.

**ITEM # 4 LUX INDUSTRIES – CONDITIONAL USE HEARING – 351  
PHILADELPHIA AVENUE – TMP # 13-047-081**

Ms. Gallagher said we received a request from the applicant that based on some feedback from the Planning Commission, they are working on revising their plans accordingly and would like to continue this until next month's meeting. Member Galloway moved to continue this agenda item to the September 19, 2022 Board of Supervisors meeting at 7:00 p.m. in this meeting room; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 5 CONSIDER AUTHORIZATION FOR READVERTISEMENT FOR  
THE RICE DRIVE CULVERT REPLACEMENT PROJECT**

Ms. Joanna Bermingham said they advertised the Rice Drive culvert replacement project and no bids were received. There were two plan holders – General Asphalt and ABC Construction. They both expressed interest in submitting bids, but the timing did not work out for them. We are looking to re-advertise and this will push us to a mid-October construction start. With a 60-day construction timeframe, we would be looking at wrapping up construction at the end of the year. Member Galloway moved to readvertise the Rice Drive Culvert Replacement project; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 6 CONSIDER PROPOSAL FROM ECONSULT SOLUTIONS, INC. FOR  
EARNED INCOME TAX**

Manager Takita said the board is being asked to consider the proposal for the Earned Income Tax (EIT) study. This comes in 2 phases. Phase 1 is in the amount of \$8,000 and the Phase 2 is in the amount of \$12,000. This is contracting for them to run the EIT

numbers for the township. Member Galloway moved to approve the proposal from Econsult Solutions, Inc. for the Earned Income Tax (EIT); Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 7 CONSIDER CYBER LIABILITY QUOTES FOR THE FALLS TOWNSHIP MUNICIPAL BUILDING**

Member Palmer asked if we reached out to different companies to receive quotes. Manager Takita said they had quotes from six different companies and Travelers came in with the best quote. Member Galloway moved to approve the Cyber Liability Quote for the Falls Township Municipal Building in the amount of \$26,495 to Travelers Insurance; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 8 CONSIDER PROFESSIONAL SERVICES CONTRACT BETWEEN FALLS TOWNSHIP AND 699 BRISTOL PARTNERS, LLC**

Member Galloway moved to approve the Professional Services contract between Falls Township and 699 Bristol Partners, LLC; Member Palmer seconded the motion; all board members were in favor (3-0).

**ITEM # 9 CONSIDER PROFESSIONAL SERVICES CONTRACT BETWEEN FALLS TOWNSHIP AND IEI ARCHITECTS, INC**

Member Boraski said IEI is working on a new internal and external design for township property. Member Palmer said they are really striving to give us what we want. Member Galloway said this is long overdue. Member Galloway moved to approve the Professional Services contract between Falls Township and IEI Architects, Inc.; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 10 CONSIDERATION OF RESOLUTION AUTHORIZING ENTRY INTO AN INTERGOVERNMENTAL AGREEMENT WITH LAWRENCE TOWNSHIP REGARDING COOPERATIVE EMERGENCY SERVICES**

Mr. Richard Dippolito said this is an inter-governmental agreement with Lawrence Township for providing fire services across state lines. This will be reciprocating back to them for coming over here. This is a formal agreement for us to go back and forth. Member Palmer asked about the difference between our police force going over to assist without this document versus the fire services going over to assist. Ms. Gallagher said we have a broad cooperation agreement for the police services for the entire southeastern Pennsylvania region. We do have that in place. Member Galloway moved to approve Resolution # 2022-22, authorizing entry into an intergovernmental agreement with Lawrence Township regarding cooperative emergency services; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 11 CONSIDERATION OF RESOLUTION TO ESTABLISH A FUEL REIMBURSEMENT POLICY FOR VOLUNTEER FIRE POLICE OFFICERS**

Ms. Gallagher said this policy would allow situations where fire police are called out for two or more hours on a scene. This would allow that individual to submit a reimbursement request, through the fire company, for one gallon of fuel per hour for any situations over two hours. Member Galloway moved to approve Resolution # 2022-23 to establish a fuel reimbursement policy for volunteer fire police officers; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 12 PARKS & RECREATION REPORT**

Mr. Brian Andrews provided some highlights for the Parks and Recreation department. They finished summer camp on July 29<sup>th</sup>. There were 145 campers and about 85-90% of the staff was new. We have three more weeks to go for the Pinewood Pool. Our revenues, memberships and guest fees have far surpassed our projections. This year we hired 14 lifeguards and right now we are down to 13. We will be working with a skeleton staff the next couple of weeks. In the coming years, we have to ramp our recruitment of younger kids to become lifeguards. We are not the lowest for pay rate but should increase their pay. There would be an incentive to cover the certification cost of lifeguard training. The cost is about \$360. Since it is a 2-year certification, perhaps if a lifeguard works one summer, we reimburse them 50% of the certification cost. If they work a second summer, we reimburse them the remaining 50% of the certification cost and then also cover the cost of re-certification. Mr. Andrews believes they also need to reach out to the school district to re-enact the certifications program. Upcoming fall events include a children’s kickball program for ages 7 to 11 and a six-week indoor yoga program. There will be a Food Truck Festival on Friday, September 16<sup>th</sup>, followed by the Touch-A-Truck event and the Family Festival the following day from 9:00 a.m. to 2:00 p.m. That evening will conclude with a fireworks display. For questions or information on table reservations or sponsors, please call 215-949-9000 x221. There will be a free Medicare Information Workshop on October 6<sup>th</sup> from 6:00 – 8:30 p.m. Registration is required. There will be a Community Yard Sale at the Falls Township Community Park on October 16<sup>th</sup> from 9:00 a.m. to 1 p.m. This will benefit the Fallsington Library. Mr. Andrews said the roof replacement at the Three Arches was completed today and the hockey rink opened today.

**ITEM # 13 CONSIDER ESCROW RELEASE REQUESTS**

There were no escrow release requests.

**ITEM # 14 APPOINTMENTS TO VARIOUS BOARDS, COUNCILS, COMMITTEES AND COMMISSIONS**

There was no action on this agenda item.

**ITEM # 15 MINUTES – JULY 18, 2022**

Member Galloway moved to approve the minutes for July 18, 2022; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 16 ENGINEERS REPORT**

Ms. Joanna Bermingham said there were two new earth disturbance applications this month, both for residential pools. There were no land development, flood plain or cell tower applications. For the KA at Fairless Hills project, utility improvements are underway and the WAWA building contractor will be on site in the near future. The NorthPoint phase 1 building 1 earth moving and demo work are ongoing. We expect construction plans to be submitted to our office soon and a pre-construction meeting should occur sometime this month. The Lincoln Storage construction of the building foundation, steel framing, earth work and retaining wall excavation are ongoing. The contractor is working with the Township of Falls Authority (TOFA) to connect the adjoining motel to the public sewer system. The NorthPoint phase 1 building 3 construction is ongoing which includes the building foundation slab, steel framing and utility work. For the Raising Canes project, construction continues. They are finishing the interior and plan to hold their grand opening in September. For NorthPoint phase 2 buildings 4, 5, and 6 we anticipate construction plans to be submitted in the near future, hopefully with construction starting in the next few months. For the DONJA Tract, plans were recommended for approval by the Planning Commission in July. We expect this to come before the board in September. For 3GMC Realty, plans were recommended for Conditional Use approval by the Planning Commission in July and we also expect this to come before the board in September. For earth disturbance projects, the Miller residence retaining wall - the earth disturbance permit was issued and a pre-construction meeting was held. We were to be notified prior to beginning construction but it appears the wall was completed without being notified, so we will be inspecting it to make sure it was constructed to our satisfaction. For Alliance Geoffrey Venture at 2 Geoffrey Drive, plans were submitted for review and we worked with the applicant's engineer and believe we came up with a solution that adequately addresses the site's run off conditions. The applicant's engineer is currently revising the storm water management design. For Snipes Farm, the rain garden construction is complete and this is ready for CO. We had two residential pools that were submitted and approved. For township projects, on the 2024 and 2029 Road Improvement Project, we are making good progress on the survey utility investigation and the overall storm water analysis. For the Falls Township Municipal Building renovation, we had the base survey re-done. We are making progress and finalizing the site improvements plan and will be confirming the scope with the architect. For the New Falls Road Historic Fallsington retaining walls, the contractor is working on a price for repairing the walls and they are also making a recommendation for specialized contractors that focus more on the specific type of work to make sure the repair that will be done will not further damage anything. Member Galloway moved to accept the Engineers Report; Member Palmer seconded the motion; all board members were in favor. (5-0)

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**ITEM # 17 BILL LIST**

Member Galloway moved to approve the bill list for August 15, 2022 in the amount of \$2,426,890.68; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 18 EXECUTIVE SESSION**

Mr. Clarke said the board met prior to tonight's meeting to discuss a matter involving Collective Bargaining, several personnel matters, a litigation matter and a matter of potential litigation.

**ITEM # 19 POLICE DEPARTMENT REPORT**

There was no action on this agenda item.

**ITEM # 20 MANAGER COMMENT**

There was no Manager Comment.


**ITEM # 21 BOARD COMMENT**

Member Galloway – No comment.

Member Palmer – No comment.

Member Boraski said we decided to combine the Touch a Truck event and the Family Festival. Events for that weekend will begin on September 16<sup>th</sup> with the Food Truck event. It will be a busy weekend but it will be a good time.

Member Galloway moved to adjourn the meeting; Member Palmer seconded the motion all board members were in favor. (3-0) The meeting was adjourned at 8:06 p.m.

  
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Brian Galloway, Secretary