

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:00 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 and Township Engineer Joe Jones.

POLICE DEPARTMENT PROMOTIONS

Chief Whitney announced promotions for the Police Department. On July 27, 2023, the following officers were promoted to Sergeant: Matthew Killeen and Stephen Reeves. The following officers were promoted to Corporal: Ryan Murphy, Nicholas Phillippe, Alexander Sansone and James Szamboti. Officer David Gold was promoted to Detective.

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

Ms. Toni Battiste called in for public comment. She asked if anything is being done about the kids who ride their bikes in the middle of the road and play chicken with the drivers. Chief Whitney said they have had reports of that in the past but have not had any recent reports of this activity. If anyone sees this happening, please call 9-1-1 and the police department will investigate the matter.

**ITEM # 2 CONSIDERATION OF NOTICE OF AWARD OF THE MECHANICAL
CONSTRUCTION CONTRACT FOR MUNICIPAL COMPLEX
RENOVATIONS TO ALLSTATES MECHANICAL, LTD., IN THE
AMOUNT OF \$4,227,215.00**

Member Galloway moved to approve the award of the Mechanical Construction Contract for Municipal Complex Renovations to Allstates Mechanical, Ltd. in the amount of \$4,227,215; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 3 CONSIDERATION OF NOTICE OF AWARD OF THE ELECTRICAL CONSTRUCTION CONTRACT FOR MUNICIPAL COMPLEX RENOVATIONS TO QPI ELECTRICAL CO., INC., IN THE AMOUNT OF \$4,499,000, WHICH INCLUDES THE FIRE ALARM ALTERNATE OF \$209,000

Member Galloway moved to approve the award of the Electrical Construction Contract for Municipal Complex Renovations to QPI Electrical Co., Inc. in the amount of \$4,499,000 which includes the Fire Alarm alternate of \$209,000; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDERATION OF AUTHORIZING EXECUTION OF THE PRIME CONTRACTS FOR THE MUNICIPAL COMPLEX RENOVATIONS AND AUTHORIZING ISSUANCE OF NOTICES TO PROCEED, SUBJECT TO FINAL REVIEW OF REQUIRED DOCUMENTATION FROM ELECTRICAL CONSTRUCTION CONTRACTOR AND MECHANICAL CONSTRUCTION CONTRACTOR

Member Galloway moved to approve authorizing execution of the Prime Contracts for the Municipal Complex Renovations and authorizing issuance of Notices to Proceed, subject to final review of required documentation from Electrical Construction Contractor and Mechanical Construction Contractor; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER APPROVAL AND AUTHORIZATION OF TOWNSHIP SOLICITOR TO EXECUTE SETTLEMENT AGREEMENT FOR ZONING HEARING BOARD APPEAL REGARDING NSE PENNSYLVANIA, LLC AND AGRONOMED BIOLOGICS LLC FOR THE PROPERTY LOCATED AT 203 LINCOLN HIGHWAY

Mr. Clarke said the applicant was turned down at the Zoning Hearing Board in November. They filed an appeal to the Court of Common Pleas and over the last several months there have been ongoing conversations between the township, the applicant and the Zoning Hearing Board Solicitor about resolving this matter. We have reached an agreement and the applicant has agreed to three conditions that the Board of Supervisors determined were important. The applicant will encourage its patrons to not congregate in the common areas of the shopping center on the property and will avoid any potential cueing outside of the business. The applicant shall not install any signage on the property that is not compliant with the Township Zoning Ordinance, and in particular limited to one sign on the building, wall or marquee sign and one sign on the free-standing ground multi-tenant sign for the shopping center. The applicant shall place no other signage on the property or on any other property or right of way in the township advertising or directional signage for the medical marijuana dispensary or otherwise. Member Mullen asked if it is just the three conditions.

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Mr. Clarke said that is correct. Member Galloway moved to approve and authorize the Township Solicitor to execute settlement agreement for Zoning Hearing Board appeal regarding NSE Pennsylvania, LLC and Agronomed Biologics LLC for the property located at 203 Lincoln Highway; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR THE VERMILLION HILLS FOOTBRIDGE REPAIR PROJECT

Mr. Jones said they expect to go out to bid within the next week with bids being opened on September 20th. The project will take 45 days to complete. Member Galloway asked if this is the bridge on Vermont Lane. Mr. Jones said yes and further described the project. Member Galloway moved to authorize advertisement for the Vermillion Hills Footbridge repair project; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER PROPOSALS FROM THE BUCKS COUNTY CONSORTIUM REGARDING THE PURCHASE OF ROCK SALT FOR 2023-2024

Mr. Jason Lawson said there was only one storm last year where they had to use rock salt. Member Galloway moved to award the consortium bid from the Bucks County Consortium for the purchase of rock salt for 2023-2024; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDER PURCHASE FROM THE PENNSYLVANIA HORTICULTURAL SOCIETY FOR THE 2023 FALL BARE ROOT TREES

Member Galloway moved to approve the purchase of 25 bare-root trees at the price of \$70 each, \$1,750 total, from the Pennsbury Horticultural Society; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDER STIPULATION TO SETTLE IN APPEAL OF MTW REALTY, LLC, TMP # 13-007-006, DOCKET # 2022-06474

Mr. Clarke said this is an appeal that was taken by the Pennsbury School District and they have negotiated a settlement which will increase the assessment of the property by \$178,120. The total assessment now is \$394,200 and will remain in effect until another appeal is filed. Member Galloway moved to approve the settlement in appeal of MTW Realty, LLC, TMP # 13-007-006, Docket # 2022-06474; Member Boraski seconded the motion; all board members were in favor. (5-0)

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ITEM # 10 CONSIDER ESCROW RELEASE REQUEST

Member Galloway moved to approve the escrow release for Levittown Car Wash in the amount of \$202,151.84; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 11 APPOINTMENTS TO VARIOUS BOARDS, COUNCILS, COMMITTEES AND COMMISSIONS

Member Palmer moved to appoint Jarius James to the Environmental Advisory Board; Member Mullen seconded the motion; all board members were in favor. (5-0) Member Boraski moved to approve Resolution # 2023-30, appointing Jesse O'Brien as an Alternate to the Planning Commission; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 12 MINUTES – JULY 24, 2023

Member Galloway moved to approve the minutes for July 24, 2023; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 13 ENGINEERS REPORT

Mr. Jones presented the Engineers Report for the month of July. There were four new earth disturbances submitted. The property at 9175 New Falls Road is a potential residential project. This is the vacant site near St. Joe's and is for clearing and erosion controls. Ben Fairless Drive is the warehouse that was constructed and was for concrete pads for trash enclosures. The LPC Morrisville LP project on South Pennsylvania Avenue is for demo of the foundation. The Fairless Hills Shopping Center item is for minor exterior improvements for a tenant (AutoZone). The following are land development updates. The composting project is under construction as well as NorthPoint Phase 1 Building 1. The Lincoln Storage project is in their punch list phase. The Levittown Car Wash is nearing completion. NorthPoint buildings 4, 5 and 6, Phase 2 updates is an ongoing project. The Waste Management Renewable Natural Gas project is underway. Morton Salt construction commenced last month. The Pennsbury School District Falcon Field improvements have been under construction. They are working on the under drains and storm water management improvements. NorthPoint Area 3 Buildings 7, 8, 9 and 10 is for clearing and filling. Gelest Phase 3 was recently approved by the Board and they are now under construction. The Triple Net Investments project has been pushed to next month's Planning Commission. NorthPoint Area 3 building 20 and the UGN Logistics were both recommended for approval at last week's Planning Commission so they will not be before the Board until October. For earth disturbances, the Ross residence pool is substantially complete. Alliance Geoffrey Venture has been completed. The Britton Industries earth disturbance is a waiver of land development. They have received approval for restoring and repairing that was demolished due to a fire. That is an ongoing construction project. The

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Restoration Church construction commenced and Snipes is completed. The Pennsbury School District project is a 50 x 50 basketball pad at one of the elementary schools and has been completed. For township projects, Pinewood Drive will be substantially complete by the end of September. Two thirds of the road is under base paving and there is one third left to do. Member Boraski asked if the contractor in Fallsington, General Asphalt, was complete with their work. Mr. Jones said that will be part of the punch list and there are some drainage issues that need to be addressed. Member Boraski wanted them to complete the drainage work before it freezes. Member Boraski spoke about the streets getting paved and said General Asphalt was awarded the contract from PECO for gas work on those same streets they just paved. He said as a township, that is a problem. Mr. Jones said he will make sure that any trenches follow our Ordinance for road openings. He will talk with General Asphalt and make sure it is cleaned up before the winter. Mr. Jones said the Woolston Drive tunnel will be under the threshold for bidding. This is scheduled for a night-time project in the next month.

ITEM # 14 BILL LIST

Member Galloway moved to approve the bill list in the amount of \$3,225,836.74; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 15 ENGINEERING BILL LIST

Member Galloway moved to approve the Engineering bill list in the amount of \$266,629.80; Member Boraski seconded the motion; all board members were in favor with the exception of Chairman Dence who abstained from the vote. (4-0-1)

ITEM # 16 EXECUTIVE SESSION

Mr. Clarke said the board held an Executive Session prior to this meeting to discuss personnel matters and a matter of potential litigation.

ITEM # 17 POLICE DEPARTMENT REPORT

Chief Nelson Whitney provided the following update:
For the month of June:

- There were 1,703 calls for service in the month of July which included 87 car crashes.
- Chief Whitney said Girl Scout Jr. Troop 2552 visited them in their new location and brought more Girl Scout cookies with them.
- The recent National Night Out event was very well attended.
- We have had ongoing discussions with Pennsbury School District regarding the location of school bus stops. They have been very agreeable working with Chief Whitney with relocating some of the bus stops.

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- Chief Whitney said he was invited to speak at a Bucks County Commissioners meeting to talk about our Co-Responder program and the positive impact in the community.
- The County has a mural project and they will have an event on September 17th from 2:00 – 4:00 p.m. Chief Whitney and some of the officers will be attending this event.
- Coffee with a Cop will be held at the Senior Center on September 22nd.
- The Police Department was invited back to Color Me Mine for a Halloween event on September 30th from 1:00 to 3:00 p.m.
- A reminder that October 28th is the National Drug Take Back Day from 10:00 a.m. to 2:00 p.m. and the Shredding Event from 9:00 a.m. to 1:00 p.m. or until the truck is full. Both events will take place at the Pennsbury High School East Campus.

ITEM # 18 MANAGER COMMENT

No comment.

ITEM # 19 BOARD COMMENT

Member Palmer – no comment.

Member Mullen – no comment.

Member Boraski said the Touch a Truck event will be held on Saturday, September 9th from 9:00 a.m. to 2:00 p.m. This will be followed by the Family Festival starting at 4:00 p.m. with food trucks, live music, a beer garden and ending with fireworks. There will be an E-Waste event on Saturday, November 4th from 11:00 a.m. to 2:00 p.m. at the Community Park. Drop off is by appointment and this is open to Falls Township residents only. Space is limited to 100 spots.

Member Galloway - no comment.

Chairman Dence – no comment.

Member Galloway moved to adjourn the meeting; Member Mullen seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 7:38 p.m.



Brian Galloway, Secretary