

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JEFFRY DENCE, VICE-CHAIRMAN	ABSENT
JEFFREY ROCCO, SECRETARY-TREASURER	ABSENT
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 and Member Rocco. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

Chairman Harvie said earlier today the YMCA contacted the township and said they were still working on their plan and would not be presenting this evening. Ms. Jennifer Wunder (Fox Rothschild) said they are finalizing their plans and working with the architect. Before presenting to the township, they want to make sure the sketch plan is as it should be. They hope to be back next month.

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

Ms. Toni Battiste said she does not live next to the proposed YMCA, the Oxford Valley Pool, or the Fairless Hills Medical Center, but the woods are home to a lot of deer. This area is designated open space and it is neighborhood residential. Imagine the old YMCA building next to the pool. The trees will all have to go. Ms. Battiste asked if the county has officially given rental approval. Ms. Wunder said they will be back next month to give a presentation to the public. Ms. Battiste said if they are able to build a new YMCA, it destroys the idea of open space. Ms. Battiste asked if the YMCA is not for profit and if so, do we get taxes from them. Chairman Harvie said they have asked Mr. Clarke to look into this.

**ITEM # 2 LOWER BUCKS Y.M.C.A. – REVIEW AND DISCUSS SKETCH PLAN
– HOOD BOULEVARD & S. OLDS BOULEVARD**

This agenda item will be moved to the September meeting.

**ITEM # 3 SILVI CONCRETE – AMENDED FINAL PLAN – 355 NEWBOLD
ROAD – TMP # 13-028-060-001**

Manager Gray said this proposed project consists of improvements consisting of additional parking spaces and relocation of the entrance driveway along Newbold Road. Mr. Robert

Jordan from Woodrow and Associates represents the applicant. This plan was originally approved in 2008. Mr. Jordan said they contracted him to look at relocating the access driveway to the plan as well as adding some additional parking spaces. In order to do that, they need to seek the amended plan approval. Mr. Jordan said they are in receipt of the July 31, 2017 engineer's letter and most of the items are will comply with the exception of the five waivers. Mr. Sullivan asked if they are going to apply for a Penn Dot Highway Occupancy Permit. Mr. Jordan said yes. Mr. Sullivan said there are improvements within the right of way. He would like it noted that the township will have to work out a development agreement that the township is not be responsible for those improvements once they are complete. Mr. Jordan agreed with this. Member Galloway moved to approve Resolution # 17-21 for Silvi Concrete, amended final plan, 355 Newbold Road, TMP # 13-028-060-001; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 4 MLH EXPLORATIONS – FINAL LAND DEVELOPMENT – 150 ROEBLING ROAD – TMP # 13-051-001-024

Ms. Jennifer Wunder (Fox Rothschild) said they are here tonight seeking final land development approval. They will be located on an approximate 32-acre site which is zoned MPM and they propose to construct two medical marijuana grower processor facilities on the property. This use is permitted by special exception in the MPM district which they received approval for this past April. The project consists of two separate facilities in separate buildings, each of which consist of a greenhouse and a head house. Ms. Rachel Butch (Showalter & Associates) said the allowable impervious is 80% and they are proposing 32%. They have sufficient parking on the site. In regard to storm water, they will model the existing basin with some minor modifications to the existing basin. Waivers deal with curbing, planting beds, and street trees. Mr. David Klapper (MLH Explorations) provided background information on their operations. In the Medical Marijuana Act, Chapter 20 allows for clinical registrants and certain groups to partner with academic medical schools in Pennsylvania. They are partnered with Jefferson University Health System in Philadelphia. There have been twelve processors that have been licensed in Pennsylvania and they are considered commercial. There were 26 dispensaries which are also licensed. Mr. Klapper said they are still in the license application process with the state. When they receive their license, they would expect to be a growing and processing facility and they would also be able to have six dispensary locations which would be spread throughout the Commonwealth. This is a location which already has some security and there is plenty of land for expansion. It also has power and utilities which are readily accessible. They are creating a state-of-the-art facility which starts with a greenhouse. This building will have steel sides and an opaque roof. There will be medical marijuana grown from mother plants which are kept in one room. They have 2 horticulturalists; one currently working in a 110-acre greenhouse and the other grower has extensive experience growing medical marijuana in Colorado. In Pennsylvania, the medical marijuana has to be processed into oils which can then be turned into other forms such as tinctures or capsules. The whole area will be fenced in and there will be security cameras, and access codes for people coming in and out of the building. We will not have the retail traffic coming in and out.

There will be deliveries of soil and fertilizer. In addition to the greenhouse plant, they will have a state-of-the-art processing facility and, as part of their partnership with Jefferson, do research in part of that area. Member Galloway asked about the number of employees they will have. Mr. Klapper said their specific facility (MLH Explorations) plans to employ about 50 people, with a combination of growers, processing jobs, and jobs related to deliveries, etc. Ms. Butch said the architect is still working on the internal footprint of the building. The actual footprint of the building is not what you see. They will coordinate with the township engineer to make sure there are no issues that affect the site work. Mr. Sullivan said depending on the difference of what they are approving tonight and what they want to do, it may require amended final, but we will see when it comes in. Mr. Klapper said they are planning to build their facility for now and then Pharmacan would secure a license to build their facility as well. Mr. Clarke said building permits will be based on both buildings. This is not a phased approach. These are being approved together. Much of Mr. Sullivan's estimates in regard to construction escrows will be based on both buildings being constructed. They are asking for preliminary and final on both, but they are planning to only construct one in the beginning. We are viewing this as one land development project. The applicant will proceed with preliminary on the second building and come back for final. Mr. Sullivan said that is okay with him. Chairman Harvie asked to make sure the resolution reflects that change in language. Ms. Butch said they will comply with the fire marshal's letter dated July 24, 2017. Member Galloway moved to open public comment; Member Boraski seconded the motion; all board members were in favor. (3-0) Ms. Toni Battiste asked what kind of pollution will be generated, what insecticides they will use, and how this will affect the water resources. Mr. Klapper said the use of insecticides and pesticides is very limited by the state so the majority of controls are preventative or natural. In terms of water usage, they have a fully-recirculating system. Water gets caught in the system and is then recycled back through the system. Member Galloway moved to close public comment; Member Boraski seconded the motion; all board members were in favor. (3-0) Member Galloway moved to approve Resolution # 17-22, for MLH Explorations preliminary and final and preliminary only for Pharmacan, TMP # 13-051-001-024; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 5 PENNSBURY MANOR – WAIVER OF LAND DEVELOPMENT – 400 PENNSBURY MEMORIAL ROAD – TMP # 13-050-004

This project is for the demolition of an existing river barge house and construction of a new river barge house in a new location. Member Galloway moved to approve Resolution # 17-23, for Pennsbury Manor, 400 Pennsbury Memorial Road, TMP # 13-050-004; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 6 BRITTON INDUSTRIES – AMENDED FINAL PLAN – 1 M-Y LANE – TMP # 13-028-077

Member Boraski moved to table this to the September meeting; Member Galloway seconded the motion; all board members were in favor. (3-0)

ITEM # 7 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE VERMILLION HILLS PARK FOOTBRIDGE REPLACEMENT PROJECT

Manager Gray said that T&M has reviewed the bids for the Vermillion Hills Park footbridge replacement project. The bids were publicly opened on August 8, 2017. Two bids were received as follows: ABC Construction in the amount of \$166,455.68, and Brightline Construction in the amount of \$212,016.00. Based on the bid evaluation, ABC Construction is the lowest responsible bidder. Mr. Sullivan said he will work with ABC and believes the bid price will decrease so the funds will cover this project as well as the fishing pier project. The county open space money could be used for 75% of the project. Chairman Harvie said this took us some time to work out. This had been approved earlier with a contractor who could not pass our responsible contractor qualifications so we had to go out to bid again. Member Galloway moved to authorize the township engineer's office to issue a notice of intent to award the bid for the Vermillion Hills Park footbridge replacement project to ABC Construction in the amount of \$166,455.68; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 8 CONSIDER AUTHORIZING THE TOWNSHIP MANAGER TO FINALIZE AWARD FOR BID FOR THE 2017 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM – WALTON DRIVE LANDSCAPE RESTORATION

At the June meeting, the Board of Supervisors authorized a notice of intent to award to Bustleton Services, Inc. the landscape restoration bid for Walton Drive. Bustleton Services, Inc. has successfully completed the responsible contractors ordinance and, at this time, the board is asked to finalize the award for this service. Member Galloway moved to authorize the township manager to finalize the award for bid for the 2017 Falls Township Road Improvement Program for the Walton Drive landscape restoration to Bustleton Services, Inc.; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 9 MINUTES – JULY 18, 2017

Member Galloway moved to approve the minutes for July 18, 2017; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 10 ENGINEERS REPORT

Mr. Sullivan said for the 2017 Road Program, the storm sewer work should be completed this week on Walton Drive. That will be followed by drain work and then the curb work will begin in about two weeks. We expect that program to wrap up by the end of September at which time Bustleton Services will do all of the landscape work. The Vermillion Hills open space project was delayed to heavy weather. They will start on August 21st. Member

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Galloway moved to approve the July Engineers Report dated August 10, 2017; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 11 BILL LIST

Member Galloway moved to approve the August 15, 2017 bill list in the amount of \$1,688,440.98; Member Boraski seconded the motion; all board members were in favor. (3-0)

ITEM # 12 EXECUTIVE SESSION

The board had an Executive Session prior to tonight's meeting. Mr. Clarke said they discussed a personnel matter, a matter of potential litigation, and a matter involving a collective bargaining agreement.

ITEM # 13 POLICE CHIEF'S REPORT

Chief Wilcox provided the following information:

- Chief Wilcox said the traffic enforcement program is continuing. We are presently hitting Rt. 1, Rt. 13, and business Rt. 1. It seems to be very successful with slowing down traffic and a reduction in the number of accidents.
- Our drug enforcement work with the county continues. We would like to see more people get involved with the Push out the Pusher program.
- Next month we will appear before the board with a new way we will process prisoners. It will streamline the process so that any blood draws can be performed at the police station instead of transporting the prisoners to the hospital. They can also do video arraignments. This should be up and running in October.

ITEM # 14 MANAGER COMMENT

- A. Member Boraski moved to approve the waiver of land development extension for Big Bear to December 15, 2017; Member Galloway seconded the motion; all board members were in favor. (3-0)
- B. Member Galloway moved to approve escrow release # 10 for Morrisville Commons in the amount of \$25,654.50; Member Boraski seconded the motion; all board members were in favor. (3-0)
- C. Manager Gray announced new township businesses. They are: Olymbec USA LLC, Fog City Vapor 2, IRCOS, and Angelmark Associates.

ITEM # 15 BOARD COMMENT

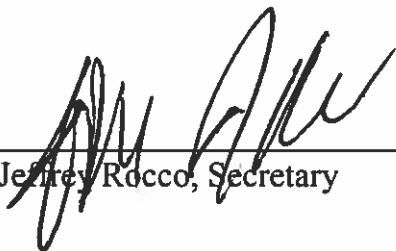
Member Galloway said as a neighbor of the proposed YMCA location, he is very concerned and looks forward to hearing the presentation next month. Member Galloway wishes for everyone to enjoy the rest of the summer.

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Member Boraski – no comment.

Chairman Harvie echoes Member Galloway's comments about the end summer and reminds everyone that school will be starting soon. Chairman Harvie said a few years ago, we started the Live Here, Spend Here program. We appreciate the support Manager Gray has put into this.

Member Galloway moved to adjourn the meeting; Member Boraski seconded the motion all board members were in favor. (3-0) The meeting was adjourned at 8:05 p.m.



Jeffrey Rocco, Secretary