

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

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

The meeting commenced at 7:07 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Dence who was detained at work. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

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

Mr. Jeffrey Stein wanted to address the alleged theft at the fire company. He asked if the township gives money to the fire companies. Chairman Harvie said some of the property tax dollars are given to the three township fire companies. Mr. Stein asked if the township retains any rights to audit them since the township donates money to them and other groups. Chairman Harvie said it is a good question. We were notified of this in January by current members of the Falls Township Fire Company. They had a change in leadership and the two individuals responsible for the illegal activity were former officers. This was caught by an audit. They realized it was a problem. The individuals who were involved in this activity essentially made themselves very powerful in the company and pushed out people who could have asked questions. They were arrested and charged. Chairman Harvie said the current leadership immediately went to the District Attorney's office and reported everything they had and did everything correctly. They came to us and notified us of everything as well. We feel very confident with the fire company and the other two fire companies as well. Chairman Harvie said we donate money to Historic Fallsington, the Bucks County St. Patrick's Day Parade Committee, the Delaware Valley Vietnam Veterans, and the American Legion. They give us budgets and outline where the money is going. Mr. Stein wondered if the township retained any rights. Chairman Harvie said we certainly could go after them legally, but we haven't had to do that. We had to be satisfied with the money that will be repaid. The one gentleman has agreed to repay everything that he has spent, and the other gentleman has not agreed to do that. We know this new leadership has put in different policies to make sure this doesn't happen again.

Mr. Guido Mariani said at a recent meeting he mentioned that with the legalization of medical marijuana, legalization for recreational marijuana use would not be far behind. State Representative Jake Wheatley's plan would fully legalize marijuana. According to

## Board of Supervisors – August 21, 2018

Eugene DePasquale, the Auditor General of Pennsylvania, it has been mentioned that Pennsylvania could receive \$581M in additional tax revenue. Mr. Mariani said legalizing marijuana is not about improving the general welfare of the public in Pennsylvania. It is all about additional money for the government to squander. There is a difference between medical marijuana and recreational marijuana. Mr. Mariani asked the board to pass an ordinance to ban marijuana sales ahead of a state bill that would legalize this drug in Pennsylvania. He is asking for this ordinance to block all marijuana establishments from opening in Falls Township, including dispensaries, cultivation facilities, and manufacturing plants. The ordinance would not apply to prescribed medical marijuana. Mr. Mariani suggests to amend the land development code, prohibited land use section, to include licenses, selling, distributing, cultivating, growing, and facilitating the sale of recreational marijuana, including any ancillary or related paraphernalia. Mr. Mariani said there were 72,000 deaths in 2017 from overdoses alone. He is asking this board to pass the ordinance and he thinks we can. Keep this death rattle out of Falls Township. Chairman Harvie said he personally, is against recreational use of marijuana being legal.

Ms. Lisa Farrell said Elcon has come back. Their application was passed at the end of July. Chairman Harvie said they have passed Phase 1 so now the review of Phase 2 will begin. It is about a ten-month process. Ms. Farrell said this area is a non-attainment zone which means that we have met the limit of air quality that should be allowed here. She doesn't know how we can accept anything else that would contribute to the poor air quality. We are second to Philadelphia in the state of Pennsylvania. Elcon has changed the number of chemicals they will be using to 268. We still have the drinkable water issue where if anything goes wrong, it goes downstream. Elcon will have 17-25 truckloads per day. We have 10,000+ children who go to school in the area. Ms. Farrell said they have flyers and Elcon signs if anyone would want one. Ms. Farrell asked when the potholes on Woolston Road will get fixed. Chairman Harvie said they would have the road crew take a look at this.

Mr. Clark Martin and Mrs. Meg Martin opened a new business called Box Drop Mattresses, located at 163 Lincoln Highway. They look forward to doing business in this township as well as living here. Mr. Martin said the process of getting permits, etc. went well.

### **ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 133 YARDLEY AVENUE, TMP # 13-032-040 – REPLACE PORTIONS OF THE ROOF WHERE LEAKING**

Member Rocco moved to approve the Certificate of Appropriateness for 133 Yardley Avenue, TMP # 13-032-040 to replace portions of the roof where leaking; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 3 COVANTA METALS MANAGEMENT, LLC – AMENDED FINAL LAND DEVELOPMENT – PHASE III – 500 MIDDLE DRIVE, TMP # 13-050-001**

The applicant's proposed improvements consist of the development of Phase II of the project, which involves the total ash processing system in the leasehold area for Phase III of the applicant's amended land development plan. The applicant is represented by Mr. Zach Sivertsen. Mr. Sivertsen said the property is located near 500 Middle Drive in Fairless Hills, PA and is zoned as Materials Processing and Manufacturing (MPM). This is in the KIPC district. Mr. Sivertsen reviewed the project as well as requested waivers. Waivers deal with driveway curbs, curbs for parking areas, curbed raised planting beds, street trees, curbing to be installed along all streets adjoining the proposed lease areas, and a partial waiver requiring existing features to be shown within 200 feet of the land to be developed. Member Galloway moved to approve Resolution # 18-13 for Covanta Metals Management, LLC, amended final land development, Phase III, located at 500 Middle Drive, TMP # 13-050-001; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 4 CONSIDER PURCHASE OF VEHICLE FOR THE FIRE MARSHAL'S DEPARTMENT**

Member Rocco moved to approve the purchase of a Ford Explorer for the Fire Marshal's office from New Holland Auto Group in the amount of \$36,529.00; Member Galloway seconded the motion; all board members were in favor. (4-0) This is on the Costars list and is in the 2018 budget.

**ITEM # 5 CONSIDER RESOLUTION TO APPROVE, ADOPT, AND PLACE INTO IMMEDIATE EFFECT THE UPDATED EMERGENCY OPERATIONS PLANS**

Fire Marshal Rich Dippolito spoke about the emergency operations plans. Member Galloway moved to approve Resolution # 18-14 to approve, adopt, and place into immediate effect the updated emergency operations plans; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 6 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR THE 2018 ROAD IMPROVEMENT PROGRAM LANDSCAPING**

Manager Gray reviewed the proposed schedule for the 2018 Road Program. Mr. Sullivan said the contractor is expected to start on the roads by September 10, 2018. Member Rocco moved to authorize advertisement for the 2018 Road Improvement Program Landscaping; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 7 MINUTES – JULY 17, 2018**

Member Rocco moved to approve the minutes from July 17, 2018; Chairman Harvie seconded the motion; all board members were in favor with the exception of Member Galloway who abstained from the vote. (3-0-1)

**ITEM # 8 ENGINEERS REPORT**

Member Rocco moved to approve the July 2018 Engineers Report dated August 15, 2018; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 9 BILL LIST**

Member Rocco moved to approve the bill list for August 21, 2018 in the amount of \$2,163,811.16; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 10 EXECUTIVE SESSION**

The board held an Executive Session on August 7, 2018 to discuss contract negotiations involving the township police union and the AFSME union, personnel matters and litigation. Prior to tonight's meeting, the board held an Executive Session to discuss several personnel matters and potential litigation.

**ITEM # 11 POLICE DEPARTMENT REPORT**

Chief Wilcox reported on the following:

- A. A week from tomorrow, school will open. Please be vigilant with school zones, children walking, and school buses. If you pass a stopped school bus, it will be an automatic suspension of your license. Chairman Harvie said we periodically get complaints about the traffic near Fallsington Elementary School. There are no flashing lights there. Chief Wilcox said that is another area they will be policing.
- B. The Citizens Police Academy will start on September 26th.

**ITEM # 12 MANAGER COMMENT**

- A. Member Galloway moved to approve escrow release # 1 in the amount of \$1,409 for McDonald's; Member Boraski seconded the motion; all board members were in favor. (4-0)
- B. New township businesses are: Stages Academy, Professional Tank and Environmental (PTE), Box Drop, and Luxury Auto House Group LLC.

**ITEM # 13 BOARD COMMENT**

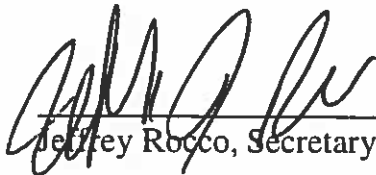
Member Rocco – no comment.

Member Boraski – no comment.

Member Galloway – no comment.

Chairman Harvie said we have been trying to improve our relationship with businesses as much as we can. The Live Here, Spend Here campaign encourages people to shop local whenever possible and we also announce new businesses to help bring them exposure. The township has a board called the Community and Economic Development Commission (CEDC). In January, we were looking for volunteers who can help us get feedback from businesses, about things we are doing well; things we can do better. If you are looking for products or services, please try to find a place in Falls Township. For a while, the CEDC had a different agenda. It has been a board we haven't put anyone on for a while. If anyone is interested in joining this board, please send in your letter of interest to the township. It is a five-member board.

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 7:50 p.m.



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Jeffrey Rocco, Secretary