

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

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 Boraski. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Lauren Gallagher, and Township Engineer Joe Jones.

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

Ms. Toni Battiste said she understands there was a land swap going from NorthPoint to Waste Management and a land swap going from Waste Management to NorthPoint. Ms. Battiste asked if the part going to Waste Management was zoned for waste. Chairman Dence said yes. Ms. Battiste asked if Waste Management petitioned the DEP to allow them to change the liners in order to make their mountains higher? How will that affect the surrounding land and water run off and our drinking water? Chairman Dence said he did not know. Ms. Battiste asked if the emergency flares that Waste Management asked the DEP for, built and operational? Chairman Dence said there are operational flares down there, but he would have to check to see if they are adding more.

**ITEM # 2 NP FALLS TOWNSHIP INDUSTRIAL, LLC – MINOR SUBDIVISION
– 150 ROEBLING ROAD – TMP # 13-051-001-024**

Mr. Michael Meginniss (Begley, Carlin) represents the applicant. Mr. Greg Glitzer (Gilmore and Associates) and Mr. Jeremy Michael (NorthPoint) were also present. This is a minor subdivision for the Roebling parcel. This is a lot line change to convey approximately 14 acres from parcel # 13-51-001-24 to the mother parcel # 13-51-001. There is no development that is proposed with this request. They are seeking two waivers dealing with 191-52.1C2 natural resources and 191-79C3 an existing features waiver request due to the fact that there is no development proposed. Ms. Joan Graves said she received some documentation with respect to the NorthPoint development. Initially, it was stated it would be just storage facilities, but she hears they will be doing some manufacturing. Ms. Graves asked what kind of manufacturing they would be doing. Chairman Dence said it was always light manufacturing but right now he does not believe they have any tenants doing manufacturing. Ms. Graves said when she received the documentation it was

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mentioned that there was going to be some type of manufacturing facility. Were you given any feedback on what type of manufacturing? Chairman Dence said there is no manufacturing right now at this point. Ms. Graves asked if it comes to fruition, how does that change everything? Chairman Dence said everything they do will come before this board. Member Galloway moved to approve Resolution # 2022-11 for NP Falls Township Industrial, LLC, minor subdivision, 150 Roebling Road, TMP # 13-051-001-024; Member Palmer seconded the motion; all board members were in favor. (4-0)

ITEM # 3 NP FALLS TOWNSHIP INDUSTRIAL, LLC – AMENDED FINAL LAND DEVELOPMENT – BUILDING 1 – PHASE I – TMP # 13-051-001

Mr. Meginniss said they are moving towards Phase III of the NorthPoint development project. This is an amended application with respect to the first building which is part of Phase I. This is consolidation of buildings 1 and 2. We are taking two approximate 1M sq. ft. buildings and adding a little bit of additional square footage to building 1, resulting in a 1,159,849 sq. ft. building and basically eliminating building 2. They hope to begin construction and fill the park with tenants in the near future. The waivers are essentially the same waivers they requested for the first two buildings with one minor alteration which is from Section 191-36.D1F. They are utilizing PennDOT standards. Section 191-52.1B1A flood plain disturbance is better than it was when they were here for building 2. Remaining waivers are very similar to what they previously proposed to the board, dealing with slopes, woodlands, and partial waivers for existing features. Chairman Dence said when they are closing out this project is when they will discuss sidewalks, trees, landscaping and things like that. Member Galloway moved to approve Resolution # 2022-12 for NP Falls Township Industrial, LLC, amended final land development, building 1, phase I, TMP # 13-051-001; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 4 LEVITTOWN CAR WASH, LLC – AMENDED FINAL LAND DEVELOPMENT – 8601 NEW FALLS ROAD – TMP # 13-018-003-004

Ms. Melanie Lacey (Klehr, Harrison, Harvey, Branzburg LLP) is here on behalf of the Levittown Car Wash, LLC. Also present were Mr. Imran Malik (representative of the owner LLC) and Kristin Holmes, Project Engineer (Holmes Cunningham Engineers). The applicant is seeking amended final approval of the land development application for a proposed car wash at 8601 New Falls Road. The board recently approved an application for this car wash on October 18, 2021, where we sought to expand the car wash, remove gas pumps and convert the convenience store into an employee office without retail space. Today, they are seeking to expand the width of the car wash tunnel to accommodate the required equipment. The width is the only change. It would increase the building area and decrease the building setback. They already received a variance for that relief in February of this year. The waivers remain the same as the previous application. Member Palmer asked about the timeline for construction to begin. Ms. Holmes said the applicant is looking to start immediately upon approval and construction will last about 3-5 months. Member Galloway moved to approve Resolution # 2022-13 for the Levittown Car Wash, LLC,

amended final land development, 8601 New Falls Road, TMP # 13-018-003-004; Member Mullen seconded motion; all board members were in favor. (4-0)

**ITEM # 5 CONSIDER INTER MUNICIPAL LIQUOR LICENSE TRANSFER
FOR 3 RIVERS BEER, LLC**

Chairman Dence moved to open the hearing for the inter-municipal liquor license transfer for 3 Rivers Beer, LLC; Member Mullen seconded the motion; all board members were in favor. (4-0) Mr. Greg Szallar (Flaherty & O'Hara) represents the applicant. Ms. Gallagher said this is a public hearing for liquor license application to transfer license # R19363 from the municipality of Bristol Township, Bucks County into Falls Township. The applicant is 3 Rivers Beer, LLC. The property, which is the subject of this application, is located at 8919 New Falls Road Suite 8B, Levittown, Falls Township, PA. The hearing is being held for the purpose of receiving comments and recommendations of interested individuals residing in the municipality regarding the applicant's intent to transfer a liquor license into the municipality of Falls Township. This application was received by the Township on March 1, 2022, and is marked as Exhibit T-1. The Pennsylvania Liquor Code requires that the township render a decision within 45 days of submission of a complete application or in the alternative within an additional 60 days at the township's election with written notice to the applicant. On March 14, 2022, Ms. Gallagher's office notified the applicant's attorney of the township's intent to hold a hearing this evening, utilizing the additional 60-day period. A copy of that letter is marked as Exhibit T-2. We have reviewed and found the application to be substantially complete. Ms. Gallagher reviewed the rules for an inter-municipal liquor license transfer. The PA liquor code states that when the total amount of liquor licenses in a municipality is equal to or greater than one license per 3,000 residents, the township is required to render its decision by resolution or ordinance. Falls Township is in excess of one license per 3,000 residents. We have provided to the board this evening a copy of the resolution approving the transfer and a copy of the resolution denying the transfer. This application has been properly advertised. Proof of advertisement is Exhibit T-3. A copy of the notice to neighboring property owners is marked as Exhibit T-4. Mr. Szallar said he is here this evening requesting for the inter-municipal transfer of a restaurant liquor license from Bristol Township into Falls Township. 3 Rivers Beer is owned by Mr. Shalom Sabar who also owns G-Town Beer LLC. 3 Rivers Beer proposes to open a new restaurant to be located at 8919 New Falls Road, Suite B in Levittown. The space will consist of approximately 2,210 sq. ft. of interior space with off-street parking in the parking lot and on-street parking, where permitted by local ordinance. 3 Rivers Beer currently has two locations in Pittsburgh and Harrisburg and five locations to be completed in the next three to nine months. There are also four additional locations with applications currently pending approval from the PA Liquor Control Board. 3 Rivers Beer will offer self-serve, pre-packaged food items and re-heatable menu casseroles as well as other quick grab and go items. 3 Rivers Beer will offer a variety of single-serve bottles and imported, domestic and craft beers for on-premises consumption for patrons to enjoy with their meal. Beer of up to 192 fl. oz. will be available for off-premises consumption as well as for home delivery. The delivery area will include Levittown, Fairless Hills, Oxford Valley, North Park, Cobalt Ridge, parts of Lower Makefield and Maple Point, Woodbourne and Mill Creek Falls along

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with various other municipalities in between. 3 Rivers Beer will not have a dedicated bar area, nor will it offer wine or liquor at this time. It is possible that wine, for both on- and off-premises will be offered in the future, however, there are no current plans to do so at this time. If wine is added, it would not be available for home delivery. The restaurant will consist of 30 inside seats. They plan for a 2023 opening. 3 Rivers Beer plans to hire 4 full-time employees in addition to the PLCB-licensed manager who will also be a full-time employee to staff its restaurant. In addition, they will be utilizing independent contractors to fulfill home delivery orders. The restaurant's normal hours of operation are from Monday to Saturday, 7 a.m. to 2 a.m. and Sunday from 9 a.m. to 2 a.m. 3 Rivers Beer will have a comprehensive Responsible Alcohol Management Program (RAMP) in place. All restaurant employees will receive the Bureau of Liquor Control enforcement-created RAMP seller/server training and they have a 100% carding policy for anyone who appears to be under the age of 35. 3 Rivers Beer will have a dedicated employee who will serve as the licensed manager for the restaurant. This person will be required to take the PLCB RAMP training course for both the owner/manager as well as the seller/server. For all home deliveries, the third-party licensed transporter will be required to check ID and take steps and make sure the person receiving the beer is the person who placed the order. In the event that an ID fails to scan, the driver will call in the individual's number and pertinent information. If an ID cannot be verified, the sale will be canceled, and the product returned to the restaurant. In addition to employee training, 3 Rivers Beer will utilize 16 closed-circuit cameras with a minimum 30-day video footage archive and remote accessibility. There will also be a monitored alarm system. Restaurant employees will routinely physically monitor the restaurant during their shifts and physically monitor the patrons in the restaurant. There will be no live entertainment, video games, jukeboxes, or pool tables in the establishment. The premises will also be no smoking. 3 Rivers Beer is making a significant investment into its business venture and that investment needs to be protected by responsible management and well-trained employees with respect to the service of alcohol. Member Palmer asked if they had any diagrams to show the public what this would look like. Mr. Szaller did not have anything to share other than what was attached to the application that was sent to the township. He held up a diagram in front of the camera. Member Palmer asked if they have waiters and waitresses who will be employed to serve the tables. Mr. Szaller said no, they offer pre-packaged meals that would be self-serve. They would utilize the microwaves to heat their meal. Member Palmer asked about their operating hours. Mr. Szaller said 7 a.m. to 2 a.m. are the hours they are allowed to operate but it will be based on staffing and demand. Member Galloway asked what time the beer sales start. Mr. Szaller said under the liquor code, restaurants are allowed to serve alcohol from 7 a.m. to 2 a.m. but it will depend on staffing levels. In some areas they open later. It is based on demand. Chairman Dence said Mr. Szaller keeps mentioning restaurant, but it seems more like take out. Mr. Szaller said individuals can go in and will be able to get one of the frozen entrees, microwave it, and sit down to have that meal on premises with a beer. Under the liquor code, in order to be able to serve/sell beer, wine, or liquor, you have to have prepared food on the licensed premises and have quantities to serve at least 30 people at one time as well as have 30 seats. There is not going to be any food being prepared on premises. Chairman Dence said you will be doing deliveries until 2 a.m.? Mr. Szaller said

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GB Logistics will do the deliveries until 2 a.m. if the business dictates that. The hours of operation will be dictated by business demand. Member Mullen asked if their other locations follow the same model as what is being proposed here. Mr. Szaller said yes. Member Mullen asked if the other locations have been operating under three years. Mr. Szaller said yes. Member Mullen asked Mr. Szaller if his office received any responses to the notices that were sent out. Mr. Szaller said he spoke with several residents who could not attend this meeting, but they seemed to think this was a good idea. Member Galloway moved to open public comment; Member Mullen seconded the motion; all board members were in favor. (4-0) Ms. Joan Graves asked about the location of this proposed business. Mr. Szaller said it is the location of the former hair salon. Ms. Graves asked about delivery of the beer and is concerned about the number of parking spaces especially on the weekend. Mr. Szaller said the drivers would come in and park in the parking lot. A lot of the take-home delivery is online ordering. About 99% + of all the orders are primarily for home delivery. There will not be in-flux of people. Chairman Dence said our ordinance requires a specific amount of parking and this meets our ordinance. Ms. Graves is concerned about additional traffic issues and if that traffic will filter into our neighborhoods and add more issues than we already have. Will there be a study done as far as the increase in traffic? Mr. Szaller said they are not required to do a traffic study. The site where it is going is zoned commercial for businesses. They will have maybe 2 or 3 drivers. He doesn't see there being a big impact on traffic. Ms. Graves believes traffic will be an issue with deliveries and pick up and doesn't want an adverse impact on her development. Ms. Toni Battiste said you are saying you need to be able to serve all 30 of these people at one time; will you have 30 microwaves? Mr. Szaller said it is basically saying you need to have enough food to serve those 30 people. Ms. Battiste said it seems you are skirting the rules to get what is basically a take-out beer service. Ms. Battiste said if we are saying we are limited to a certain number of licenses for restaurants in the township, this is going to take up one of them. Ms. Szaller said this isn't taking a restaurant license away from the township. This is the municipality giving us the right to move a license into the township which would increase the number of licenses. Mr. Szaller said right now the quota is 11 and there are 23 liquor licenses in Falls Township. Chairman Dence said we are already above the quota which is why they have to transfer a license from another municipality. Ms. Battiste asked if we are allowed to bring an unlimited number in? Chairman Dence said yes. Mr. Michael Episcopo from the Bandbox said due to what happened to his business, what kind of impact will that have for their business if they decide to rebuild and putting a license right next door to another license. Chairman Dence said this wouldn't impact it at all. Ms. Gallagher said the property is zoned for the proposed use. The Liquor Control Board would take into consideration the proximity of other licenses in the area. Chairman Dence moved to close the public hearing for the inter-municipal liquor license transfer for 3 Rivers Beer, LLC; Member Galloway seconded the motion; all board members were in favor. (4-0) Member Palmer moved to approve the application for the inter-municipal liquor license transfer for 3 Rivers Beer, LLC; Member Mullen seconded the motion. Member Mullen voted yes; Chairman Dence, Member Galloway and Member Palmer voted no. (1-3) The vote did not pass. Member Galloway moved to deny the inter-municipal liquor license transfer for 3 Rivers Beer, LLC; Member Palmer seconded the motion. Chairman Dence, Member Galloway and Member Palmer voted yes; Member Mullen voted no. (3-1) The vote to

deny passed. Chairman Dence said this still goes to the PA Liquor Control Board and they will make their own determination.

**ITEM # 6 CONSIDER INTER MUNICIPAL LIQUOR LICENSE TRANSFER
FOR KINJAL ENTERPRISE, INC.**

Chairman Dence moved to open the public hearing for an inter-municipal liquor license transfer for Kinjal Enterprise, Inc.; Member Mullen seconded the motion; all board members were in favor. (4-0) Ms. Gallagher said this is a public hearing for a liquor license transfer application to transfer restaurant license # R19468 from the municipality of Middletown Township, Bucks County into Falls Township. The applicant is Kinjal Enterprise Inc. The property which is the subject of this hearing is the applicant's business located at 91 Makefield Road, Morrisville, Falls Township. The hearing is being held for the purpose of receiving comments and recommendations of interested individuals residing in the municipality regarding the applicant's intent to transfer a liquor license into the municipality of Falls Township. The application was received by the township on March 11, 2022. The Pennsylvania Liquor Code requires that the township render a decision within 45 days of submission of a complete application or in the alternative within an additional 60 days at the township's election with written notice to the applicant. On March 14, 2022, Ms. Gallagher's office notified the applicant's attorney of the township's intent to hold a hearing this evening. We have reviewed the application and have found it to be substantially complete. A copy of the application is marked as Exhibit T-1. Ms. Gallagher reviewed the rules for an inter-municipal liquor license transfer. The PA liquor code states that when the total amount of liquor licenses in a municipality is equal to or greater than one license per 3,000 residents, the township is required to render its decision by resolution or ordinance. Falls Township has in excess of one license per 3,000 residents. We have provided to the board this evening a copy of the resolution approving the transfer and a copy of the resolution denying the transfer. This application has been properly advertised. The proof of advertisement is marked as Exhibit T-2. Notices to neighboring property owners is marked as Exhibit T-3. Ms. Gallagher's letter dated March 14, 2022 is marked as Exhibit T-4. Mr. David Berger (Norris McLaughlin) is present for the applicant. One witness was sworn in. Mr. Berger said the applicant is looking to get an inter-municipal transfer of liquor license to their property at 91 Makefield Road in Falls Township. This is the existing Country Farms convenience store in the Makefield Shopping Center. This property has been in business about 20 years at that location and is zoned as Neighborhood Commercial. There is more than enough parking to satisfy its use. The applicant is proposing to use the liquor license to provide additional offering of beer and possibly wine sales to the convenience store. If approved, they can also apply for a wine permit. The maximum takeout purchase is 192 oz. of beer which is no more than a 6-pack. While there are a significant number of licenses in Falls Township, there are none in safe keeping and no licenses available for sale. To support the sale of alcohol there will be no expansion to the property. There will be an interior reconfiguration. There will be one register dedicated for the sale of alcoholic beverages and then another register dedicated to those other sales. The business is currently open 7 days a week; Monday to Sunday 6 a.m. to 10 p.m. With regard

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to sale of alcohol, they will be able to sell alcohol from Monday to Saturday 7 a.m. to close and Sunday sales will be 9 a.m. to close. They will be able to lock the beer coolers during the hours that they are not allowed to sell alcohol. There are a total of 16 cameras on the premises: 15 interior and 1 exterior. Any sale from a licensed register needs to be done by someone who is RAMP trained and certified. Anyone selling alcohol must be 18 and certified RAMP. Anyone younger than 35 will have their identification checked. With regard to on-premises and off-premises consumption, 99% of their sales will be off premises. Because they do not have a convenience store liquor license, you can't use a distributor license for these places because the liquor code doesn't allow you to sell food with a distributor license, but a restaurant license does. You can't restrict them from consuming alcohol on premises completely, but they will have guidelines to restrict patrons. Mr. Berger said his understanding of the liquor code is if the board denies this application, they cannot even file the application with the Liquor Control Board. They require approval before they can go any further. Member Palmer said he likes the fact that you have separation from the store and the beverages, and it can be locked. Do you know what type of beer you will have and whether it is craft beer or domestic? Mr. Berger said usually it is the normal in-demand domestic beer. Everything is based on demographics and then they will determine where they go from there. Member Mullen said in reviewing your application, this is the first she has heard that you cannot prohibit one beverage to be consumed inside. Mr. Berger said it is the nature of the liquor code. A convenience store cannot use a distributor license because you cannot sell food with a distributor license. With a restaurant license you are required to have seating and food for 30 but they have had to relax their requirements as you see more convenience stores buying restaurant licenses. Grocery stores have restaurant licenses. Member Mullen asked the applicant if they were contacted by anyone. Mr. Berger said no. Chairman Dence said he is very familiar with your store. He said most of his questions have been answered. Mr. Aaron Mackey wanted to echo a couple of points – you are right that the number of liquor licenses is unlimited but the total number in the state is limited. This is a commodity and each one you approve is one less that a future business could have. He echoed Member Mullen's point that there are a lot of children that are very close to that site. It seems like it should be a distributor license not a restaurant license. How many other convenience stores in Falls Township have this license? Chairman Dence said he knows of one other. It is the same as supermarkets. Mr. Berger said he knows the school is not within the 500-ft. distance, however a sale to a minor is a very significant penalty. The employees will be RAMP trained and follow RAMP guidelines. Member Galloway moved to close the public hearing for the inter-municipal liquor license transfer for Kinjal Enterprise, Inc.; Member Mullen seconded the motion; all board members were in favor. (4-0) Member Galloway moved to approve the inter-municipal liquor license transfer for Kinjal Enterprise, Inc.; Member Palmer seconded the motion; all board members were in favor with the exception of Member Mullen who voted no. (3-1)

The board took a break at 8:16 p.m. and the meeting was called back to order at 8:23 p.m.

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

Manager Takita said the board is being asked to consider approving a one-year contract with Millennium Strategies. They are our current grant writer. They have helped us over the past year to secure over \$800,000 in grant funding for various projects in the township. We will use them on an hourly basis. Their hourly rate of \$130/hr. with a monthly retainer of \$1,500, NTE \$18,000 per year. Last year's price was \$3,000 per month; \$36,000 for the year. Member Palmer wants to try to utilize this to the fullest we can with all of our departments as well as reaching out to the local fire services. Member Galloway moved to approve the agreement with Millennium Strategies, LLC at rate of \$130/hr., \$1,500/month, NTE \$18,000 per year; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 8 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR THE 2022 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM

Mr. Jones said the construction scope for this year is Pinewood Drive. We are currently under construction for Elderberry Drive. Member Galloway moved to authorize advertisement for the 2022 Falls Township Road Improvement Program; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 9 CONSIDER PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FROM JONES ENGINEERING ASSOCIATES FOR THE 2024-2027 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM

Mr. Jones said road locations are in Thornridge and Vermillion Hills. This is spread out over five years for the design work and six years for construction. This takes us to the 2027 Road Program. Member Galloway moved to approve the proposal for professional engineering services from Jones Engineering Associates for the 2024-2027 Falls Township Road Improvement Program in the amount of \$3,982,595; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 10 CONSIDER THE PURCHASE OF POOL CHEMICALS AND SUPPLIES FOR THE PINWOOD POOL THRU BUCKS/MONT AQUATIC CONSORTIUM

Chairman Dence reviewed the prices. They are liquid sodium hydrochloride bulk chlorine \$2.23/gal, sodium bicarbonate \$30/bag, soda ash \$30/bag, calcium chloride flake \$30 and hydrochloric acid \$24.24. Member Palmer asked if we had anticipated an increase in the budget for the pool. Mr. Andrews said they saw some significant increases in chemical prices. It is dependent on weather. If we have a summer like last year, it could affect our budget by a couple thousand dollars. Member Galloway moved to approve the purchase of pool chemicals and supplies for the Pinewood Pool thru the Bucks/Mont Aquatic Consortium; Member Mullen seconded the motion all board members were in favor. (4-0)

ITEM # 11 CONSIDER PROPOSAL FOR INSTALLING SAFETY NETTING AT LEVITTOWN CONTINENTAL

Mr. Andrews said this is something that was brought to our attention by a resident. The way the backstop is set up, balls often end up in the backyards of the homes. It is a safety concern for the residents that live close by. We reached out to our insurance carrier and they suggested we try to remedy the situation. The price to install safety netting is \$18,726. Ms. Mullen asked if the insurance company was satisfied with this remedy. Mr. Andrews said they are the ones who recommended we do something to rectify the issue. He will run it by them but does not see them having an issue with this. Member Galloway moved to accept the proposal in the amount of \$18,726 for installing safety netting at Levittown Continental; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 12 CONSIDER HIRING VENDOR FOR LIEUTENANTS' EXAM FOR THE POLICE DEPARTMENT

Member Galloway moved to approve the vendor for the Lieutenants' exam for the police department in the amount of \$4,000; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 13 CONSIDER HIRING A THIRD-PARTY INVESTIGATION AGENCY FOR THE POLICE DEPARTMENT

Chairman Dence said we have Chief Whitney and one lieutenant. Lt. Ward spends most of his time doing internal investigations. We interviewed several agencies; there are some questions about the current one. Anything we approve tonight will be pending review by the solicitor's office. Member Galloway moved to approve the agreement with Inter-County Investigations pending review by the Solicitor's office; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 14 CONSIDER STIPULATION TO SETTLE IN APPEAL OF MCR LANGHORNE, LLC, TAX PARCEL # 13-003-008-001, DOCKET #2020-06622

Ms. Gallagher said this is an appeal of the tax assessment for the referenced property. Effective January 1, 2021, the assessment on the property will be decreased from \$942,710 to \$831,810 and effective January 1, 2022, decreased from \$942,710 to \$807,510. The tax assessment will remain at 807,510 for each subsequent tax year unless and until there is another assessment appeal. This results in a refund from Falls Township for \$800.70 for 2021 and \$976.14 2022 for a total refund of \$1,776.84. Member Palmer asked what location this is. Ms. Gallagher said it is on Cabot Boulevard. Ms. Gallagher said the settlement is typically driven by the school district solicitor, so they typically handle this. It has to do with the value of the property. Member Palmer said he believes this is the Residence Inn and they bring in a lot of outside travelers into our community. A lot of these hotels use a lot of our services. Ms. Gallagher said the settlement is based on appraisal of the property. Member Palmer said that property uses a lot of services and he cannot support

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this. Member Galloway moved to approve the stipulation to settle in appeal of MCR Langhorne, LLC, Tax Parcel # 13-003-008-001, Docket # 2020-06622; Member Mullen seconded the motion; all board members were in favor with the exception of Member Palmer who voted no. (3-1)

ITEM # 15 MINUTES – MARCH 21, 2022

Member Mullen moved to approve the minutes from March 21, 2022; Member Palmer seconded the motion. Member Mullen and Member Palmer were in favor; Chairman Dence and Member Galloway abstained from the vote since they were absent from the March 21, 2022 meeting. The vote did not pass. (2-0-2) This will be placed back on the agenda next month.

ITEM # 16 ENGINEERS REPORT

Mr. Jones said there were five earth disturbances submitted to us in March. No land development, no cell tower and no flood plain permits were submitted. There are no notable updates to the land development projects. They are all in process of approval and construction. The five new earth disturbances submitted have all been approved with the exception of the Miller residence retaining wall where we are waiting for more complex plans to be submitted. The road program for Elderberry Drive is back on construction. Some updates for items that board members asked him to look into. They are working with the applicant's engineer for the walkway replacement at Lake Caroline. There was a hold up on obtaining the Effective FEMA Study. We think we are making some progress on obtaining that report. With regard to improvements of the Fallsington retaining wall and the dog park turf, Mr. Jones will have updates next month.

ITEM # 17 BILL LIST

Member Galloway moved to approve the bill list for April 18, 2022 in the amount of \$1,764,427.31; Member Palmer seconded the motion; all board members were in favor. (4-0)

ITEM # 18 EXECUTIVE SESSION

Ms. Gallagher said an Executive Session was held on April 5, 2022 to discuss matters of personnel and potential litigation. An Executive Session was held prior to tonight's meeting to discuss matters of personnel and potential litigation. The board held an Executive Discussion during tonight's meeting break to discuss potential litigation.

ITEM # 19 POLICE DEPARTMENT REPORT

Chief Nelson Whitney presented highlights from the March Police Report.

- There were 1,506 calls for service for the month of March including 98 crashes.
- There were Aggressive Driving Wave Program details scheduled in March and April.

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- On April 5th, Chief Whitney visited the Criminal Justice and Sociology programs at Bucks County Community College and did a presentation on a major case that we investigated back in 2010.
- On April 11th, Chief Whitney was invited to Pennsbury Manor for a ceremony where the re-patriated remains of the Delaware tribe of Indian ancestors were located and re-interred. They have been working on that for years. It was a well-attended event.
- Our Operation Urgent Aid continues. To date we have donated more than 260 ballistic vests and 150 helmets as well as other types of supplies and humanitarian aid. Our Congressman presented the police department an award along with several of us who were instrumental in the program. We were the topic of conversation on the floor of the Congress and inspired other police agencies throughout the United States to donate similar items to the Ukraine.
- The Youth Police Academy begins on July 13th. This is for youth going into 7th grade up to those graduating 12th grade this year. Registration is online.

Member Mullen said congratulations; it is really nice to hear of your award. Chairman Dence said with Operation Urgent Aid he didn't realize we were the first to do this in the country and that is a big deal. Excellent job on your part with that. Ms. Toni Battiste said when it rains, she understands state law mandates that vehicle lights must be on. Many people are not aware of this. Are people being stopped and ticketed for this or perhaps we can remind people they are supposed to do this? Chief Whitney said we can advertise this as part of our education efforts. The circumstances where a citation would be issued is normally after a crash.

ITEM # 20 MANAGER COMMENT

No Manager Comment.

ITEM # 19 BOARD COMMENT


Member Galloway – No comment.

Member Palmer – No comment.

Member Mullen – No comment.

Member Boraski said spring is here and hopefully it will feel like it soon. When kids are outside playing, please be careful driving around.

Member Galloway moved to adjourn the meeting; Member Mullen seconded the motion all board members were in favor. (4-0) The meeting was adjourned at 8:51 p.m.



Brian Galloway, Secretary

