

Board of Supervisors – September 23, 2024

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

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

The meeting commenced at 7:04 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 Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones.

**PRESENTATION FROM BIRD TOWN PENNSYLVANIA, LLC**

Bird Town Pennsylvania aims to create healthier communities through the lives of birds. The Bird Town Committee reviewed their Mission Statement. Bird Town Pennsylvania works in partnership with local municipalities and like-minded organizations to promote community-based conservation actions to create a healthier, more sustainable environment for birds, wildlife and people. The importance of having a Bird Town was presented along with the history of this program which has been ongoing for more than 14 years. There are currently 69 Bird Towns across 12 counties. The website for Bird Town Pennsylvania is [birdtownPA.org](http://birdtownPA.org). Member Palmer asked how they partner with the school district. It depends on the relationship Bird Town Pennsylvania has with the school district. There is a program available which provides information for teachers to use in their curriculum. Member Palmer asked if they could send their presentation to the Township and Board of Supervisors.

**ITEM # 1 EXECUTIVE SESSION**

Mr. Clarke said the Board held an Executive Session on September 10, 2024 after the last meeting to meet with one of the Township professionals to receive information. No deliberations took place and no votes were cast. The Board held an Executive Session prior to tonight's meeting to discuss two separate Collective Bargaining Agreements, a personnel matter, a matter of potential litigation, and a matter of litigation.

**ITEM # 2 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON  
FORTY-FIVE MINUTE MAXIMUM**

Mr. Todd Vreeland (Deputy Chief, Levittown-Fairless Hills Rescue Squad) provided a monthly update. Last month, there were 310 calls for 911 ambulance service, of which they



responded to 87% of them. The top calls were for ALS respiratory, BLS emergency transport and ALS chest pain. Mr. Vreeland is happy to answer any questions from the Board. Member Palmer asked if Jefferson Bucks Hospital diverts the patients. He has heard concerns and complaints about this as well as 8-hour waits in the emergency room. Mr. Vreeland said if equipment is broken, that could be a reason not to take a patient. This is not just a Jefferson Bucks issue. It is everywhere and you may experience this same thing when there are no available beds. The fact that people are waiting a long time is probably a true statement.

**ITEM # 3 MY LANE, LLC – PRELIMINARY AND FINAL LAND DEVELOPMENT M-Y LANE – TMP # 13-028-075-003**

Mr. Michael Meginniss (Begley Carlin) was present along with Mr. Heath Dumack from Dumack Engineering and Mr. Mike DiNardo the Principal and owner of the property. Mr. DiNardo purchased the property in 2022 along with 80 MY Lane. Mr. DiNardo appeared before the Board of Supervisors about two years ago to discuss the proposed use, a biochar operation. The Zoning Hearing Board approved a couple of variances and the Planning Commission recommended approval. The property is at the intersection of Rt 1 and Rt 13 and is approximately 4.25 acres. Phase 2 proposes construction of a 20,000 sq. ft. building and would add 5-7 employees in the Township. This is not mulch. It is a way to deal with green waste. This is compatible with Mr. DiNardo's existing business Shades of Green. Biochar is a green energy solution which allows for the burning of up to 15 tons of wood and landscape an hour. It is an alternative to taking a lot of waste like this to a landfill. This process creates clean carbon ash which can then be used to supplement soil and be used in rain gardens. This process uses AirBurner equipment. FEMA has deemed this as the best available control technology for disaster cleanup. There are on-site woodlands but they are confined to a very small area on the site. Member Palmer asked about the public water and septic. Mr. Dumack said there is no public water in the immediate vicinity. They are proposing a 20,000+ gallon fire protection tank which will be part of the improved design and that will be used to distribute water based on the fire marshal requirements. Mr. Dippolito said they had a meeting to discuss this. This is still being designed by their engineer. Mr. Dippolito said he will be satisfied if the engineer comes back and says everything that Mr. Dumack has said is needed. Member Galloway moved to approve Resolution # 2024-26 for MY Lane, LLC, preliminary and final land development M-Y Lane, TMP # 13-028-075-003; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 4 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2025 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE PENSION PLAN**

Member Galloway moved to approve Resolution # 2024-27, Establishing 2025 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$3,337,797; Member Mullen seconded the motion; all board members were in favor. (4-0)



**ITEM # 5 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2025  
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE NON-  
UNIFORM PENSION PLAN**

Member Galloway moved to approve Resolution # 2024-28, Establishing 2025 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$7,440; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 6 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2025  
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PMRS  
PENSION PLAN**

Member Galloway moved to approve Resolution # 2024-29, Establishing 2025 Minimum Municipal Obligation (MMO) for the PMRS Pension Plan in the amount of \$203,231; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 7 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR AUDIT  
OF THE 2024 FINANCIAL RECORDS**

Member Galloway moved to authorize advertisement for audit of the 2024 Financial Records; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 8 CONSIDER AUTHORIZING REQUEST FOR PROPOSALS FOR  
AUDITOR APPOINTMENT FOR 2024 FISCAL AUDIT**

Member Galloway moved to approve the Request for Proposals for Auditor appointment for the 2024 Fiscal Audit; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 9 CONSIDERATION OF UPDATING POLICE POLICIES**

There was no action on this agenda item.

**ITEM # 10 CONSIDERATION OF CHANGE ORDER # 8 FOR RYCON  
CONSTRUCTION, INC.**

Member Mullen would like to renew her request that with another change order we have a presentation outlining all of these change orders. Manager Takita understood and said this request is still within the allowance being discussed with the Board as a whole. Member Galloway moved to approve change order # 8 for Rycon Construction, Inc. in the amount of \$115,932.10; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 11 CONSIDERATION OF ADOPTING ORDINANCE FOR CHAPTER 203 – “VEHICLES AND TRAFFIC,” ARTICLE III – “PARKING REGULATIONS,” SECTION 22 – “PARKING PROHIBITED AT ALL TIMES,” SUBSECTION C, AND CHAPTER 203 – “VEHICLES AND TRAFFIC,” ARTICLE III – “PARKING REGULATIONS,” SECTION 23 – “PARKING PROHIBITED DURING CERTAIN HOUSE,” SUBSECTION A**

Ms. Gallagher reviewed the parking restriction changes. The Police Department has agreed to removal of these parking restrictions. Manager Takita said there is one small change. Buttonwood Avenue should be changed to Buttonwood Lane. Member Galloway moved to approve Ordinance # 2024-3 for Chapter 203 – “Vehicles and Traffic,” Article III – “Parking Regulations,” Section 22 – “Parking Prohibited At All Times,” Subsection C, and Chapter 203 – “Vehicles and Traffic,” Article III – “Parking Regulations,” Section 23 – “Parking Prohibited During Certain Hours,” Subsection A with the minor change as indicated by Manager Takita; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 12 CONSIDER RATIFYING PURCHASE FROM THE PENNSYLVANIA HORTICULTURAL SOCIETY FOR THE 2024 FALL BARE ROOT TREES**

Member Galloway moved to approve the purchase of 20 Fall bare-root trees in the amount of \$1,500 from the Pennsylvania Horticultural Society; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 13 CONSIDERATION OF APPOINTMENT TO THE CABLE ADVISORY BOARD**

There was no action on this agenda item.

**ITEM # 14 CONSIDERATION OF APPOINTMENT TO THE DISABLED PERSONS BOARD**

There was no action on this agenda item.

**ITEM # 15 CONSIDERATION OF APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD**

There was no action on this agenda item.



**ITEM # 16 CONSIDERATION OF APPOINTMENT TO THE HISTORICAL ARCHITECTURE REVIEW BOARD**

There was no action on this agenda item.

**ITEM # 17 CONSIDERATION OF APPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION**

There was no action on this agenda item.

**ITEM # 18 CONSIDERATION OF APPOINTMENT TO THE NEIGHBORHOOD TRAFFIC ADVISORY COMMITTEE**

There was no action on this agenda item.

**ITEM # 19 CONSIDERATION OF APPOINTMENT TO THE POLICE PENSION COMMITTEE**

There was no action on this agenda item.

**ITEM # 20 CONSIDERATION OF APPOINTMENT BY RESOLUTION TO THE ZONING HEARING BOARD**

There was no action on this agenda item.

**ITEM # 21 MINUTES – AUGUST 26, 2024 & SEPTEMBER 10, 2024**

Member Galloway moved to approve the minutes from August 26, 2024 and September 10, 2024; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 22 ENGINEERS REPORT**

Mr. Jones said during the month of August, there was one new land development application and one new earth disturbance application. Mr. Jones provided project updates. The Mylex properties is near completion. Britton Industries MY Lane is likely to be before the Board in the next couple of months. The Lincoln Storage project is complete. NorthPoint Phase 2 Buildings 4, 5 and 6 - they are working on finishing touches for Buildings 5 and 6 and Building 4 has not yet started. The LPC Morrisville warehouse on Pennsylvania Avenue along the river is operating under a site drainage and other infrastructure improvements and will be ongoing for quite some time. For the Morton Salt project, they are working on punch-list items and are nearing completion. The Pennsbury School District is working on the concession stand and the athletic training facility lockers. The Pennsbury Plaza project has been complete for some time and there is an escrow release tonight. Geleste Phase 3 on Steel Road – site work building construction on the manufacturing building continues. The NorthPoint Area 3 Building 20, Dean Sievers

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project, is working on site work, infrastructure, drainage, storm water management facilities and utilities. The Kalimar Properties project is finishing up with restoring some areas. The NP Falls Township Industrial railcar overhangs at Kinder Morgan to keep the railcar out of the weather is under way. The Commons of Fallsington is under review. For the South Olds Boulevard culvert, there was a suggestion we put this on PennDOT's Capital Budget Program where we would be eligible for a potential 80% reimbursement under that program. We intend to contact the PennDOT Inspection Department and see if the grant opportunity is viable. Mr. Jones believes this is worthwhile and will follow up with PennDOT. For the 2021-2023 Road Program, Pinewood Drive, the contractor is still finishing the punch-list items. For the Township building, work continues with drainage improvements, site lighting and ongoing site work construction. For the Vermillion Hills footbridge, we have the signed contract and will have a pre-construction meeting. The bridge had been removed and is with the contractor for refurbishing. Member Palmer said people have asked if the gate going back to NorthPoint would be coming down. Mr. Jones said he believes it is their intention to remove the gates once the project is complete. He will confirm this.

**ITEM # 23 BILL LIST**

Ms. Toni Battiste said it would be nice to have this on the website. Manager Takita will check into this. Ms. Battiste wondered how much the fireworks cost. The price was about \$11,500. Manager Galloway moved to approve the bill list in the amount of \$3,955,280.62; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 24 OBERMAYER REBMANN MAXWELL & HIPPEL, LLP BILL LIST**

Member Galloway moved to approve the Obermayer Rebmann Maxwell & Hippel, LLP bill list in the amount of \$4,636; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 25 CAMPBELL DURRANT, P.C. BILL LIST**

Member Galloway moved to approve the Campbell Durrant, P.C. bill list in the amount of \$18,602.63; Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 26 JONES ENGINEERING ASSOCIATES BILL LIST**

Member Galloway moved to approve the Jones Engineering Associates bill list in the amount of \$198,445.75; Member Mullen seconded the motion; all board members were in favor with the exception of Chairman Dence who abstained from the vote. (3-0-1)

**ITEM # 27 CONSIDERATION OF ESCROW RELEASES**

Member Galloway moved to approve escrow releases to ARD/Pennsbury (Plaza Boulevard) in the amount of \$178,809.43 and MLH (Solar Drive) in the amount of \$849,927.10;



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Member Mullen seconded the motion; all board members were in favor. (4-0)

**ITEM # 27 MANAGER COMMENT**

The October Shredder Event has been canceled. There will be a Medication Take Back on Saturday, October 26<sup>th</sup> from 10:00 a.m. to 2:00 p.m. at Pennsbury High School East, 705 Hood Boulevard.

**ITEM # 28 BOARD COMMENT**

Member Galloway – no comment.

Member Mullen complimented Township staff on the Family Festival and the Touch a Truck events this weekend. They were both very well attended events. Thanks also go to Jeff Boraski for his help as well as the committee who works on this. They raised \$30,000.

Member Palmer – no comment.

Chairman Dence echoed Member Mullen's comments. He said this weekend's events turned out great and the weather held out. Saturday was a perfect day and the kids loved the trucks.

Member Galloway moved to adjourn the meeting; Member Mullen seconded the motion. (4-0) The meeting was adjourned at 7:50 p.m.

  
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Brian Galloway, Secretary