

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:02 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 Lauren Gallagher and Township Engineer Douglas Waite.

ITEM # 1 EXECUTIVE SESSION

Ms. Gallagher said the Board met in Executive Session earlier this evening to discuss matters of Collective Bargaining and personnel.

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

Mel and Rob Talbert (1616 Bristol Pike) asked about city sewage for approximately 200 families along Bristol Pike (Old Rt. 13). Mrs. Talbert said every time she speaks with John, the Operations Manager at TOFA, she keeps hearing it will be three more years. This is very disheartening for her and her neighbors. With the age of the systems, they are having to have them cleaned out more often. The average cesspool lasts about 40 years and hers is much older. Manager Takita said the last conversation he had with TOFA, they were working on a grant to get the funding to complete the project. It would be a phased project. The grant funding may not be enough to cover the project. Manager Takita said his understanding is that they would not move forward with it until they can find additional money. They did not give Manager Takita a date. Mr. and Mrs. Talbert would like to have it brought up to date and have the same standards just like a lot of the other sections in the Township. They got city water about 20 years ago and they thought the city sewer would follow but they have been left hanging. They pay taxes just like everyone else and would appreciate the fundamentals to get by. Chairman Dence asked if they have been to the TOFA meeting. Mrs. Talbert has spoken with John a few times but has not been to a TOFA meeting. Chairman Dence said it is a Township issue, but it is a TOFA project. Chairman Dence said there is a meeting tomorrow night. If you look on TOFA's website there is a meeting schedule. Manager Takita said this is a TOFA project to run the sewer main. They are looking for grant funding. At this point, the township is not involved in that. Chairman Dence said TOFA is their own entity. Mr. Talbert believes the Township should still be involved and help with the funding. He would like the same standards as everyone else.

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Manager Takita will follow up with TOFA tomorrow and see if he can get a status update. When Mrs. Talbert originally made her request, Manager Takita thought she was talking about something different. Manager Takita said he spoke with a DEP representative regarding grant funding and in his conversation with Mrs. Talbert the other day, he said what he spoke with DEP about did not apply to her and what she was talking about. When Manager Takita met with Mrs. Talbert and realized what she was talking about, he spoke with John. TOFA is pursuing funds for the project. The Township has not discussed helping to fund that project. Chairman Dence said there was a mandate coming from DEP. TOFA is trying to be prepared for that mandate. Member Galloway said you should definitely address the TOFA Board tomorrow night. You won't be talking with John, you'll be talking to the Authority. Chairman Dence said let's also see what happens when Manager Takita talks with them tomorrow.

Ms. Toni Battiste thanked the Board and the Manager for including the bills and she also saw it posted online. Ms. Battiste will defer her other comments to next month's meeting.

Mr. Robert Abrams (Lower Makefield) spoke about the proposed high school for Pennsbury School District. Mr. Abrams referenced the last meeting when Member Mullen said building new is better than rehabbing. Most of your complaints seem to be around the environmental clean up and you would have had to do that anyway. Rehabbing is usually much cheaper. You did get the check from Pennsbury for the sketch that went to the Engineer. The check was delivered on the 9th and you recorded it on the 10th. Pennsbury was right. They delivered the sketch on the 7th. He does not understand why he was told something different. Somewhere around when the high school will be done, the landfill will be closing. Waste Management host community fees appear to provide 48.7% of the current budget. Falls Township taxes will have to at least double. The taxes for a new high school as opposed to a rehab project - the difference is we have one quote from 2021 for \$99M and this project is \$285M but it will be closer to \$325M to \$350M which will probably give you a 30% increase in school taxes. When you add the two together, you will have a disastrous situation for the Falls Township residents. He thinks that needs to be taken into consideration with the Supervisors and they need to have a discussion with the school district. To Chairman Dence, you will vote yourself a windfall. Mr. Abrams referenced Act 34. Mr. Abrams said Member Boraski seems to be against every tax increase which is great but Act 34 requires Pennsbury School District to provide both new, if they want to do new construction, and also rehab which the Supervisors would have to approve since it is on Falls Township property. Pennsbury has not put in any sketch plan to rehab either of the two current buildings and there is also a proposal dated September 2, 2021 from KCBA rated as best proposal to knock down East and expand West. Now the Township Engineer will have to do the work three times, charge the township three times and charge the taxpayers three times. Mr. Abrams asked for the supervisors to get involved as far as what the rehab cost would be compared to building a new school.

Mrs. Jennifer Metzger said based on what Mr. Abrams said, did you get the permit and payment? Is someone able to check with the inspection office? We have been watching for it and we haven't seen anything come through. Chairman Dence said we did not get the permit. Ms. Gallagher said the fee is the professional escrow. It is not a permit fee. Ms.

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Metzger said she is really concerned this is going to slide through. Chairman Dence spoke about when Elcon wanted to come into the Township. Everyone in the Township and the surrounding area thought it would be pushed through and it was a done deal. The meeting was so big they had to have it at the high school. It was voted on and shot down and some people couldn't believe it was not passed. We haven't seen this plan yet. Chairman Dence said he saw a picture of the front of the building and the back of the building. This is a big deal. Don't assume we are going to push anything through. Member Galloway said no one voted in favor of the Elcon project. Mrs. Metzger said they are being told it is a wonderful thing and it is done. This directly impacts our seniors who are not able to afford it now. There are 518 liens just for the 2023-2024 tax year from Pennsbury against these people trying to live. They will also increase taxes another 5% a year just to cover the school building. They are not focusing on scholastics. Ms. Metzger would appreciate anything your Board can do to review it, slow it down and double check it. Chairman Dence said that is why it is taking so long for the sketch plan review.

ITEM # 3 AGILE COLD STORAGE – PRELIMINARY & FINAL LAND DEVELOPMENT – CABOT BOULEVARD EAST (BETWEEN 1000 AND 200) – TMP # 13-003-009-011 & 13-003-009-012

Mr. Mike Meginniss (Begley Carlin Mandio) represents the applicant. Mr. Ed Gleason (Project Engineer, Eustace Engineering) was also present along with Mr. John Ripple (Chief Development Officer, Agile Cold Storage) online. Mr. Meginniss said they are here to discuss the proposed structure which is located along Cabot Boulevard. His client is the lessee of two parcels which are zoned in the OIP district and which are currently vacant. The parcels aggregate to approximately 14-1/2 acres. The project is located between the rail line to the South and Rt. 1 to the North. The applicant is proposing construction of an approximate 232,000 sq. ft. building with associated improvements. They went to the Zoning Hearing Board in the fall and received a few variances. They also appeared before the Planning Commission who recommended approval. The only items proposed to be stored in this facility are cheese and French fries. This will be a two-shift operation with approximately 70 employees on the largest shift. They plan to have three or four trucks per hour visiting the site. Everything in the review letters is a will comply. They have two waiver requests. Member Palmer asked if they were proposing to install sidewalks along the street. Mr. Meginniss said no, that is one of the two waiver requests as they do not expect to have any pedestrian traffic in this area. Member Palmer said there are one or two businesses in the area. The pharmaceutical company has sidewalks and they just recently put them in. Would you be opposed to installing sidewalks if other businesses are doing it? Mr. Meginniss said he would have to defer to Mr. Gleason and Mr. Ripple on that. It has never been something they have contemplated as they cannot imagine what the pedestrian connectivity is adding to the site. Mr. Gleason said the other concern is the additional disturbance and vegetation that would need to be removed is currently planned to be used as a buffer. He doesn't believe there is a sidewalk at the property to the West so there is a sidewalk that doesn't go anywhere. With the expense of the sidewalk and the additional disturbance, the goal would be not to install it. Mr. Meginniss said they are proposing to keep the vegetated buffer. Member Palmer asked how far away is KVK from this? One or

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two businesses down? Mr. Gleason said he is not sure. Member Palmer asked if any employees would have to take public transportation to walk up to Oxford Valley to catch a bus? Mr. Meginniss said generally, they are asking for waivers for industrial corridors because of the lack of connectivity. Mr. Meginniss asked Mr. Ripple if he had an estimate regarding the number of employees who use public transportation. Mr. Ripple said the answer is practically very few to none. We are probably a mile back into that industrial park. He cannot imagine anyone walking from a bus stop back to the main road. They have seen employees carpool to work. Public comment: Ms. Toni Battiste thought the property was close to the apartments on the Rt. 1 corridor. She was mistaken on the location. Ms. Jennifer Metzger asked if this was in the section near L.A. Fitness. Chairman Dence said it is on the same side as L.A. Fitness heading down toward General Motors. Ms. Metzger said there are a lot of big trucks down that way. On the opposite side, you already have people walking down there. She cannot imagine that it would be safe to walk in this area if there are large 18-wheelers. They will never put the sidewalks in later so they should install them now. Member Galloway moved to approve Resolution # 2024-31 for Agile Cold Storage, preliminary and final land development, Cabot Boulevard East (between 1000 and 200), TMP # 13-003-009-011 and 13-003-009-012; Member Boraski seconded the motion; all board members were in favor with the exception of Member Palmer who voted no. (4-1)

ITEM # 4 BRITTON INDUSTRIES – PRELIMINARY & FINAL LAND DEVELOPMENT – 4 M-Y LANE – TMP # 13-028-075-001

Mr. Mike Meginniss (Begley Carlin Mandio) represents the applicant. Mr. Heath Dumack (Heath Engineering) was present along with Dan Carr (Britton Industries). This property is on M-Y Lane. This is referred to as the junkyard on your right driving on Rt. 1 towards New Jersey. This is a 17.34-acre site. This has been a project pending for a number of years. Britton has been working with the property owner doing a cleanup and the number of vehicles on the site has dramatically decreased over the years. They are proposing to remove the vehicles and then replace them with palletized mulch storage and associated trailers which are used with Britton's operations. There are no structures that are proposed as part of this development. They have been going through the Act 2 clean-up process. The EAC issued a positive recommendation. They have a handful of waivers. They will not disturb any of the wetlands on site. Ms. Jeannine Delwich, EAC, said one of the things that came up in their review is if it were possible to look at replacing some of the plant trees with native trees. It helps pollinators and they have a higher likelihood of survival with less maintenance. Mr. Meginniss said they are agreeable with that. Member Galloway moved to approve Resolution # 2024-32 for Britton Industries, preliminary and final land development; 4 M-Y Lane, TMP # 13-028-075-001; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDERATION OF APPROVAL FOR FRIENDS OF FRANKLIN KIRBY PARK

Chairman Dence said the name may change but this is essentially us creating a 501-C-3 charity for any fundraising we do in Falls Township. Member Galloway moved for the

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approval for Friends of Franklin Kirby Park; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDERATION OF ADOPTING THE 2025 BUDGET AND RESOLUTION ESTABLISHING THE MILLAGE RATE FOR 2025

Member Galloway moved to approve Adoption of the 2025 Budget and Resolution # 2024-33 for Establishing the Millage Rate for 2025; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDERATION OF ESCROW RELEASES

Member Galloway moved to approve escrow releases to Austin Drive in the amount of \$598.50 and Lincoln Storage in the amount of \$24,827.70; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 8 MINUTES – NOVEMBER 25, 2024

Member Mullen moved to approve the minutes from November 25, 2024; Chairman Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 9 ENGINEERS REPORT

Mr. Douglas Waite said there were two new earth disturbance applications submitted. There were no new land development applications submitted. Mr. Waite provided an update on the projects. For the Township building update, preparations for paving was completed - pavement slabs and bollard installation was completed. Mr. Robert Abrams is going to ask that your firm table anything to do with the new Pennsbury High School until you get all the information on the two rehab projects they would have to submit under Act 34 so the taxpayers do not have to pay your firm three times. Mr. Waite said the project is still under review. We understand the issue about Act 34. Mr. Abrams said they would still have to submit two rehab project sketches that you would have to review. Mr. Waite said they will review what was submitted. Ms. Gallagher said there was a sketch plan submitted to the Township. The Township is in the process of reviewing that. If and when additional information is submitted, then it will be reviewed when it is submitted. The Township bills all developers for the review fees associated with any project. Mr. Abrams said he gets it. It is Pennsbury's issue because they did not submit it.

ITEM # 10 BILL LIST

This month's bill list is in the amount of \$5,370,547.69. Member Boraski said at the last meeting during the budget presentation, he spoke about the vehicles we were purchasing and it was three Explorers and a pick-up truck. It is on the bill list now. Did we previously approve this in 2024? Mrs. Reukauf said without looking at the actual invoices, those were the prior year's purchases and we were finally able to get them. This was presented to the

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Board. Chairman Dence said on these purchases when we inquired about this a couple of months ago, we were told we had a surplus of vehicles and they didn't want to buy new ones. When did that change? Manager Takita said he does not recall talking about a surplus of vehicles but he knows they put in the 2024 Budget for additional vehicles. Chairman Dence said when they inquired about buying two new ones, we suggested buying them for the Command Staff and we were told there was a surplus and we didn't need new police vehicles at this time. Member Boraski said we have to keep an eye on this. It seems like a lot of new vehicles. Mrs. Reukauf will confirm by email which budget year they were from and get the actual invoices. Member Boraski wanted to mention the company we use to outfit the vehicles he saw on their social media that they now outfit a car and they deal with Fred Beans so you can buy a car which is already outfitted. He wasn't sure if buying that car for our patrol vehicle could save us some money. Ms. Toni Battiste said on some of these items it is like the 2nd payment, the 13th release, the 15th release of payment. How many payments will there be for those items? Mrs. Reukauf said this is for the building construction project. They bill based on percentage of completion and they bill up to the amount that they are contracted for. Depending on how often, there could be 16 bills or there could be 22 bills. Ms. Jennifer Metzger said last month we were talking about the police chief needing another five cars because prior cars cost too much to fix. Now you are just talking about four that just came in from last time. Chairman Dence said we do not necessarily spend that money. This was approved at last year's budget and we are just buying them tonight. They will have to come before us again to approve those vehicles. Ms. Metzger said out of the 50 cars in the fleet the majority are only being used for the first 100,000 miles and then they are being replaced. Who is going through that to make sure the vehicles are being properly worked on and making the decision for how many you need? Chairman Dence said we have two full time mechanics that maintain the fleet. Member Boraski said that is why he asked Manager Takita to check that. He would like to see the Township stretch that to maybe six or seven years and 120,000 miles or possibly look into a lease program. Mr. Robert Abrams said we just had an issue at a finance meeting at Pennsbury. They also buy from Co-Stars. They were buying 65 computers and Co-Stars was the most expensive. They didn't get three competitive bids and there was quite a difference in the price of computers. Co-Stars is not always the cheapest. Chairman Dence said it is not always the cheapest and we can negotiate the price as well. Member Galloway moved to approve the bill list in the amount of \$5,370,547.69; Member Mullen seconded the motion; all Board Members were in favor. (5-0)

ITEM # 11 OBERMAYER REBMANN MAXWELL & HIPPEL, LLP BILL LIST

Member Galloway moved to approve the Obermayer Rebmann Maxwell & Hippel, LLP bill list in the amount of \$1,830; Member Mullen seconded the motion; all board members were in favor with the exception of Member Boraski who voted no. (4-1)

ITEM # 12 CAMPBELL DURRANT, P.C. BILL LIST

Member Galloway moved to approve the Campbell Durrant, P.C. bill list in the amount of \$20,305.06; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 13 JONES ENGINEERING ASSOCIATES BILL LIST

Member Galloway moved to approve the Jones Engineering bill list in the amount of \$161,711.25; 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 # 14 MANAGER COMMENT

Manager Takita said Christmas tree pick up by Waste Management will be Saturday, January 11th and Saturday, January 25th. Please do not put out trees prior to January 11th.

ITEM # 15 BOARD COMMENT

Member Galloway wished a Happy Hannukah, Merry Christmas and Happy New Year to everyone.

Member Boraski said when we were in the early stages of planning our new building, we spoke about having the tree lighting ceremony there. Was there any talk about putting a receptable at the tree so we can put the lights on it and plug it in? Manager Takita said we discussed the tree lighting and having the landscaping set up for that. He will check into this.

Member Mullen wished everyone a happy holiday.

Member Palmer said Member Boraski spoke about surplus vehicles. We probably have about eight vehicles to go to Municibid. What is the timeframe? We had the appraisals and it is ready to go. Chairman Dence asked if we are we hiring the company that we spoke about from the PSATS Conference. Manager Takita said we got the one appraisal and we have to reach out to the auction company. Chairman Dence said the company does it all.

Chairman Dence wished everyone happy holidays and have a safe and Happy New Year.

Member Boraski moved to adjourn the meeting; Member Galloway seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 7:56 p.m.



Brian Galloway, Secretary

