

Board of Supervisors – May 21, 2025

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:00 p.m. with roll call and pledge to the flag. All Board members were present except Member Boraski and Member Galloway. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer Douglas Waite.

PRESENTATION BY WASTE MANAGEMENT

Chairman Dence said there will be a short presentation by Waste Management. Communication has been positive since the last meeting. Ms. Patty Barthel (Public Relations for Waste Management) said since the mailing has gone out, we are happy people have been calling and engaging with them. The public has been asking questions and it is good to see people on board with this transition. Ms. Barthel thanked Rose Molle who has been a huge help with this process. There has been information posted on the Township website as well as in Levittown Now. The next benchmark will be cart distribution. This will start the day after Memorial Day and last up to two weeks. They have 18,000 carts to distribute. If someone gets the 96-gallon cart delivered and they need something smaller, please call customer service at 1-800-869-5566 and they will switch out the cart. People can start using the carts right away if they wish, but they must start using them by June 28th. June 28th is when they will start using the automated trucks. There is one more informational mailer to be sent. This will pertain to what can and cannot be recycled as well as other basic information. Member Palmer said a couple of residents have asked if they have a bulk item, is there someplace they can drop it off. Mr. Bob Jones said there is a location at 1400 Bordentown Road where bulk items can be dropped off. They would have to show their identification verifying they live in the Township. Mr. Michael Mullen (120 Amelia Drive) asked what would happen with their cart if they are not home when it gets delivered. The cart would be left in the front of his property.

ITEM # 1 EXECUTIVE SESSION

Mr. Clarke said the Board met in Executive Session on May 20, 2025 to discuss a personnel matter.

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

Ms. Toni Battiste said she saw online that Tax Collector makes a salary of \$25K. Is that just salary or does it include other things such as postage and billings? Mr. Clarke said the Township does not pay the Tax Collector's salary. The Tax Collector is paid per bill by the school district, the County and the Township. The Tax Collector is paid for tax certifications. The Tax Collector is not paid out of Township tax dollars. It probably indicates what is paid to her not as a salary but what she bills us for sending out the tax bills. Ms. Battiste asked if the current Tax Collector would resign or lose in the upcoming race or retire, what happens to the tax records and the tax system they use? Mr. Clarke said the records are to be transferred to the successor. It is State law. Ms. Battiste asked about getting monthly reports on the safety of our Township. She asked if the Police Chief reports could be posted on the website. Does anyone know why the Business Route 1 section from the light at Tyburn to WAWA was just redone and who paid for it? Member Palmer said the state ran all new utilities on the side and they did a refurb and patch and striped the lines. Ms. Battiste said there are potholes when you turn off of North Olds Boulevard onto the road that goes back to where the current Township offices are located. Ms. Battiste asked if those could be repaired.

Mr. Wayne Bell (Watermelon Man) said the name Watermelon Man comes from the Emancipation Proclamation. He comes from South Carolina and his mother was Nigerian. Mr. Bell said the Pennsbury School District blamed him for assaulting a school guard and he saw Linda Palsky hug and kiss this person who said he assaulted her. He is going to take this to court. Mr. Bell suggested everyone visit the website PSD411.net. What qualifications do you need to be nominated on the Township subcommittees? Member Mullen said anyone from the Township is able to submit a letter of interest to the Township and then it is up to the Board's discretion. Mr. Bell asked if there were going to be appointments this evening as he saw this as an agenda item. Chairman Dence said if we are going to put someone on a Board, we have to list it on the agenda. We list that on the agenda every month. Mr. Bell asked if he has a chance to be appointed? Chairman Dence said sure. Mr. Bell asked if Government officials get drug tested, cognitive tested, FBI background checked or performance tested for any Board job. Chairman Dence said not that he is aware of. Mr. Bell saw Jones Engineering's name on the Garden of Reflection and guesses he gave money. He wanted to thank Mr. Jones. Mr. Bell said people should visit the Garden of Reflection. He thinks to help improve relations here, look up the film starring Gregory Peck, To Kill a Mockingbird. They do not show this movie anymore.

Ms. Jennifer Metzger said a few things are on the agenda tonight. She is concerned about having a 50-ft building in the area. We are going to talk about the Sill's Tyburn Road corner. Her overall thought process is that she wants Bucks County to stay looking like Bucks County and not looking like Trenton or Philadelphia. There are a lot of people who are losing their homes – at least one person a day who cannot afford to stay in their home in this area. Ms. Metzger said she appreciates you monitoring taxes and keeping costs

down. A lot of people weren't happy with the EIT but it is better than our seniors getting nailed. Ms. Metzger said she appreciates everyone going out to vote yesterday. Has anyone considered a Township Town Hall meeting on a consistent basis so it would answer what other residents are asking instead of just guessing. Ms. Metzger said Upper Makefield is dealing with the fuel line leak. Are we geographically going to have to deal with that as well? Ms. Metzger also asked about taxes when the landfill closes and has questions about things of that nature.

**ITEM # 3 CONSIDERATION OF APPROVAL FOR CERTIFICATE OF
APPROPRIATENESS – 9 OLD LOCUST STREET – TMP # 13-020-269
– MILL AND STRIPE EXISTING PARKING LOT, REPAIR BASE
AND INSTALL ASPHALT**

Member Mullen moved to approve the Certificate of Appropriateness for 9 Old Locust Street – TMP # 13-020-269, mill and stripe existing parking lot, repair base and install asphalt; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 4 SILL CORNER – SKETCH PLAN REVIEW – 1030-1056 TRENTON
ROAD – TMP # 13-020-149 THRU 153**

The applicant, Joy Sill Hopkins and her family, are represented by Mr. John VanLuvanee (Eastburn & Gray). Ms. Hopkins started on this path in 2019 with Tom Hecker before he passed away. This is an approximate 4.5-acre parcel comprised of five tax parcels at the corner of Trenton Road and Tyburn Road. They had originally proposed a concept plan of 120 multi-family homes. They took feedback and then COVID struck. Mr. VanLuvanee then became Counsel. In March of 2023, Mr. VanLuvanee sent some information indicating his representation and the fact that Ms. Hopkins would like to pick up again in her discussions with the Township about her plans to redevelop the corner. Mr. VanLuvanee said that Manager Takita indicated to him that he spoke with the Board and the Board was open to consider an amendment in the form of an overlay zoning district. Mr. VanLuvanee said they worked with their Engineer Mark Habers and some housing consultants to develop a further iteration of the plan. They showed a plan with 94 units +/- . That plan was submitted in order to provide an opportunity to obtain additional feedback from the staff. They worked to develop an amendment which was submitted. In November, 2024, they met with Township staff and a couple of Board members. They showed a plan for a reduced density plan of 94 units. The reaction was that it was still too dense. They developed a townhouse plan as an alternative to apartments. In January of 2025, he sent a letter to Manager Takita with a revised draft of an Ordinance and were encouraged to provide a sketch plan for the opportunity to provide for a more formal review and an opportunity to appear before the Planning Commission and then this Board to get public feedback. They submitted a sketch plan application for 54 townhouses. They also submitted information because the apartment plan did not meet the Township's parking requirement. This plan does meet the Township parking requirements. Each unit has a 1-car garage, a double-wide driveway and an overflow parking space for each unit. This is not a sketch plan that we are going to follow up with a land development plan because they do

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not have the enabling legislation to be able to do it. They have to submit a petition for an amendment to the Zoning Ordinance. They are looking for feedback from the Board and they have an extensive letter from the Township Engineer. Ms. Joy Sill Hopkins has been on the corner for over 60 years. She and her father pondered many options of how to develop this corner. Each person they spoke with said they preferred to have townhomes that they owned as opposed to apartments. They fully intend to do things the Planning Commission recommended. We intend to make this as beautiful as possible and hope we can successfully work together. Member Mullen said the last time they saw this, this is the same number of units but more parking spaces. Ms. Sill said no; they lowered the number of units since they have accommodated the three parking spaces plus the parking space in the garage. Ms. Jennifer Metzger said her overall concern is that people are being priced out of their homes. Who are they trying to sell these to? Do they still intend to park under their unit? Ms. Sill said parking would be a one-car garage and the other parking spaces would be a double wide driveway in front of the townhome as well as each townhome having one additional parking space. Ms. Metzger said her concerns are cost, who you are marketing to and how did we fix the space on Tyburn Road and behind the proposed homes? That area is a pit. What are we doing about sidewalks and protection? Mr. VanLuvanee said a lot of those issues are land development issues. PennDOT has to weigh in on both of these entrances and we recognize that. Sidewalks are required unless waived. We expect to have sidewalks on the land development plan. Costs are divided by the number of units and the price ends up with a fixed price. Right now we don't know if any zoning would be approved to be changed. Mr. Douglas Waite spoke about firetruck access. Ms. Gallagher said they have met with the applicant and their attorney several times over the years. Staff has expressed concerns over density, parking and storm water. Mr. VanLuvanee said they have attempted to address that. Manager Takita and Mr. Jones have continued to express concerns with that. Ms. Gallagher said she believes the density continues to be higher than the density of any other zoning district in the Township as proposed. Chairman Dence said the density is also his concern. Mr. VanLuvanee said they believe they meet the parking requirements. Ms. Gallagher said historically, the Township has not counted garage spaces as parking requirements. She would defer to the Engineer on that topic. Chairman Dence said it is tough if you are living there and have two people with two vehicles. Mr. VanLuvanee said they have two parking spaces in the driveway - two spaces plus the one overflow space. If someone wants to use their garage they have a total of four spaces. This has to be self-contained and he believes they have addressed that with this plan. Mr. VanLuvanee said if he recalls, the density is not higher than everything in the Township but it is higher than most things in the Township. Chairman Dence said there is a development near his house where you can't drive through there. It is located at West Trenton Ave at the Post Office. People abuse the parking. Ms. Toni Battiste said she can't tell what the setback is from the street on Trenton Road. Mr. Clarke said this is a sketch plan. It is not a fully-engineered plan. Setbacks and things along those lines would be part of the land development process. This is essentially an idea and if the Township wants to move forward with the plan, the applicant will have to submit a fully-engineered plan which will show things like the setbacks, the heights and the impervious surface coverage. Ms. Battiste said from what she is looking at, it doesn't look like there is a setback, sidewalks or whole

lot of green on there. Across the street there is a church with a preschool and a daycare. You have a lot of vehicles traveling on that road with children in the car. If you have the possibility of three or four adults, how many kids does that mean? Where are you putting the school buses to pick them up? At drop off times you may have a line of cars. Ms. Metzger reiterated her concerns about traffic lights, setbacks and storm water cannot leave the premises. Did you look at that back corner for water retention? Will utilities be underground or above ground? Member Palmer asked if this will be an HOA or dedicated to the Township. Mr. VanLuvanee said this would be an HOA or managed by someone offsite. Member Mullen acknowledged their investment in this matter. She would love to see this somewhere but it is a very complicated corner and it is a risk for us as well as a risk to you. If you do another reiteration of this, please show where the kids are going. This whole area will be filled with cars. She wishes it was not at this corner. Mr. VanLuvanee asked if there was at least enough interest in seeing residential at this corner to encourage them to at least file a petition to rezone. They will have to submit traffic studies, show you what the demand is, and do impact studies about the anticipated population. Member Mullen said she does not believe anyone has any issue with it being residential. It is the density that is drawing concern.

**ITEM # 5 THOMAS EARLE – PRELIMINARY/FINAL LAND DEVELOPMENT
– TMP # 13-047-118, 13-047-153, 13-047-155 AND 13-047-156 –
LOCATED AT OR NEAR 14 WEST STEEL ROAD**

The applicant is represented by Mr. Mike Meginniss (Begley Carlin). He is here on behalf of 14 Steel Road LLC. His client is the owner of four parcels located in the Township. They are located at the North Steel Road cul-de-sac. The properties are zoned Heavy Industrial and consist of a little over 37 acres. Their proposal is to consolidate these four parcels into two parcels and they would remove the existing use which is an open air exterior material operation (an asphalt operation). In its place, we propose construction of two warehouse facilities. Each facility will have its own parcel, and the larger of the two facilities would be 272,000 sq. ft. and that would be on a new parcel which is approximately 31.3 acres. The smaller of the two lots would be 6.3 acres and that would have a building size of approximately 56,000 sq. ft. These are permitted uses and are designed to be Class A, state-of-the-art modern facilities. They went to the Zoning Hearing Board twice to secure approvals. Mr. Sean Durkin (Roddy Inc.) and Mr. Mark Havers (Pickering Cort) are available to answer any questions. Member Plamer asked if anyone has a problem with their tree relief request for fees in lieu of to go into our Shade Tree Commission fund. Ms. Gallagher said the applicant will comply and pay a fee in lieu of. Member Mullen would rather see the trees planted but she understands waiving the Ordinance and convenience. Ms. Jennifer Metzger asked if Earle Company is moving somewhere else? Mr. Meginniss said he is not sure if they will relocate or not but they would go away from here. Mr. Clarke said on all the action items, since there are only three Board members here this evening, all votes would have to be unanimous to pass. Member Mullen moved to approve Resolution # 2025-17 approving preliminary and final land development for Thomas Earle, TMP # 13-047-118, 13-047-153, 13-047-155 and 13-047-156, located at or near 14 West Steel Road; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 6 ALLEN AND MARY ELLA EPISCOPO – PRELIMINARY/FINAL
LAND DEVELOPMENT – TMP # 13-019-167, 13-019-169 AND 13-168-
001 – 8815 & 8821 NEW FALLS ROAD**

Member Mullen moved to table agenda item # 6, Allen and Mary Ella Episcopo, preliminary/final land development, TMP # 13-019-167, 13-019-169 and 13-168-001, 8815 and 8821 New Falls Road; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 7 METALS USA PLATES AND SHAPES, INC. – PRELIMINARY/FINAL
LAND DEVELOPMENT – TMP # 13-003-008-007 – 58 CABOT
BOULEVARD EAST**

Mr. Mike Meginniss (Begley Carlin) is here on behalf of Metals USA, located at 58 Cabot Boulevard East. This project backs on a rail line and fronts on Rt 1. This property is located in the PIP District and is approximately 18.7 acres. Metals USA currently utilizes this property for inventory and processing a range of stainless steel, carbon steel and aluminum materials. They went to the Zoning Hearing Board to receive some relief. The scope of the relief exceeded what they needed. Metals USA has outgrown its existing structure. They hope to construct a new 70,000 sq. ft. building on site which would be used for steel storage and will have a covered storage area of approximately 31,500 sq. ft. In addition, they hope to add another 8-10 jobs. Mr. Pat Verasca (Metals USA) and Mr. Eric Clase (Gilmore & Associates) are present to answer any questions. Member Mullen moved to approve Resolution # 2025-18 for preliminary and final land development for Metals USA Plates and Shapes, Inc., TMP # 13-003-008-007, located at 58 Cabot Boulevard East; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 8 CONSIDERATION OF APPROVAL FOR THE HEALTH BENEFITS
PROGRAM RATE RENEWAL**

Member Mullen moved to approve the Health Benefits Program rate renewal from June 1, 2025 to May 31, 2026 at the annual cost of \$153,168.48; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 9 CONSIDERATION OF APPROVAL FOR THE COLLECTIVE
BARGAINING AGREEMENT FOR THE PUBLIC WORKS
DEPARTMENT**

Member Palmer moved to approve the Collective Bargaining Agreement for the Public Works Department; Member Mullen seconded the motion; all board members were in favor. (3-0)

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ITEM # 10 CONSIDERATION OF APPROVAL FOR VEHICLES FOR THE POLICE DEPARTMENT

Member Mullen moved to approve the purchase of vehicles for the Police Department as presented; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 11 CONSIDERATION APPOINTMENT TO THE CABLE ADVISORY BOARD, DISABLED PERSONS ADVISORY BOARD, ENVIRONMENTAL ADVISORY BOARD, HISTORICAL ARCHITECTURAL REVIEW BOARD, HISTORIC PRESERVATION COMMISSION, NEIGHBORHOOD TRAFFIC ADVISORY COMMITTEE, PARKS & RECREATION BOARD, PLANNING COMMISSION, POLICE PENSION COMMITTEE, SHADE TREE COMMISSION AND ZONING HEARING BOARD

There were no appointments this evening.

ITEM # 12 MINUTES – APRIL 28, 2025

Member Palmer moved to approve the minutes from April 28, 2025; Member Mullen seconded the motion; all board members were in favor. (3-0)

ITEM # 13 ENGINEERS LIST

Mr. Douglas Waite said there were two new land development applications submitted and four new earth disturbance applications submitted. Other highlights are included in the report.

ITEM # 14 BILL LIST

Member Mullen moved to approve the May 21, 2025 bill list in the amount of \$4,077,072.25; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 15 OBERMAYER REBMANN MAXWELL & HIPPEL, LLP BILL LIST

Member Mullen moved to approve the Obermayer Rebmann Maxwell & Hippel, LLP bill list in the amount of \$2,104.50; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 16 CAMPBELL DURRANT, P.C. BILL LIST

Member Mullen moved to approve the Campbell Durrant, P.C. bill list in the amount of \$31,958.92; Member Palmer seconded the motion; all board members were in favor. (3-0)

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ITEM # 17 JONES ENGINEERING ASSOCIATES BILL LIST

Member Mullen moved to approve the Jones Engineering bill list in the amount of \$249,912.05; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 18 MANAGER COMMENT

Manager Takita said the Township offices will be closed on Monday, May 26, 2025 in observance of Memorial Day.

ITEM # 19 BOARD COMMENT

Member Palmer – No comment.

Member Mullen – No comment.

Chairman Dence wished everyone a happy Memorial Day weekend.

Member Mullen moved to adjourn the meeting; Member Palmer the motion; all board members were in favor. (3-0) The meeting was adjourned at 8:09 p.m.



Brian Galloway, Secretary