

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting was called to order at 6:00 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Chairman Dence and Member Galloway. Also present were Township Manager John Shepherd, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Ms. Kristen Weber.

ITEM # 1 EXECUTIVE SESSION

Mr. Clarke said the board held an Executive Session prior to tonight's meeting to discuss a matter of litigation. The board received information from his office and the Manager regarding the E-bike Ordinances. This was for informational purposes only, no deliberations occurred and no votes were taken.

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

Ms. Kelly Kirkpatrick (Falls Township) said she has seen many supervisors come and go throughout the years. She always thought they had their best interest in our town Phase 1 and seeking permits to add more environmentally damaging things in Phase 2. The town hall meeting lacked much needed information and did not allow enough time for questions and concerns. We need another town hall with a competent Amazon Representative before anything further is approved. There needs to be a pause because she knows our Township does not want this.

Ms. Seema Kazmi (Falls Township) said considering the data center being built, she thinks about the new high school and kids playing sports on the field, breathing in pollution that can worsen asthma, COPD, and other respiratory ailments. In light of your approval, Ms. Kazmi has the following questions about the data center. How many substations are planned? Where is the transmission line infrastructure to feed the substation coming from? What is the peak load demand for this campus for the data center? How is the air quality being monitored given all the gas and diesel generators that even though they are a backup, they still get turned on to be tested? Ms. Kazmi asked about the meeting times of 5:00 p.m. for the months September, October and November and said people may be coming from work and miss the public comment portion of the meeting. Manager Shepherd said the 5:00 p.m. time is for our Work Sessions and those are primarily budget meetings. Ms. Kazmi asked if they would move public comment to later in the meeting? Manager Shepherd said those are additional meetings particularly scheduled for the budget. That's not to say public comment cannot occur at those meetings but those are geared specifically to address the

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budget preparation process. There is an additional monthly meeting for those months Ms. Kazmi mentioned which will still be the 6:00 p.m. meeting. Ms. Kazmi is again requesting answers to her previous questions. She said an additional review is warranted. The Pennsylvania Environmental Rights Amendment, Article 1, Section 27 guarantees the right to clean air, pure water, and the preservation of natural scenic historic and aesthetic values making the Commonwealth the Trustee of public natural resources for current and future generations.

Ms. Kathy Haynes (Falls Township) spoke about the ban on E bikes in the Falls Township parks. She understands and supports the Township's goal of addressing the reckless riding and unsafe behaviors and said those issues should absolutely be handled. Member Mullen said they would not be taking any action on that agenda item (number 11) but at that time, they will have further public comment.

Mr. John Tadlock (Falls Township) said no matter where you stand on the data centers whether you are for them, against them or indifferent, one thing he thinks everyone can agree on is that the lack of communication and the lack of transparency on this project has been appalling. Both Amazon and the Board of Supervisors have been complicit in this fiasco. Mr. Tadlock said Amazon's obligation is to the shareholders and their concern for the community, the environment, or their employees is all secondary to their primary purpose of making money. The Board of Supervisors has an obligation to the residents of Falls Township to represent and advocate for your constituents, and you fell short of that obligation. Mr. Tadlock said you agreed to sign an NDA with a corporation to obscure and conceal information from the public. After the November 25, 2024 meeting, you were asked to sign an NDA because of the highly proprietary nature of what this company does. NDAs protect proprietary information. What you signed shielded the name of the owner and what they were proposing to construct. This is basic information, not proprietary information. The people of Falls Township had a right to know. Mr. Tadlock said Ms. Battiste asked questions from the board at that time and he will mention some of the minutes from that meeting. Mr. Dence said they cannot tell you the name of the company. Mr. Clark said you will know exactly who the company is when the time comes. Mr. Tadlock said that kind of sounds like we'll let you know when we're ready. Mr. Dence had said it is just the company name we cannot talk about. Mr. Tadlock said if you watch the video record of the meeting, at one point Mr. Dence called the NDA a charade and Mr. Clark admonished him to stop talking. Mr. Tadlock said he expected better from the Board of Supervisors. Last week he read that the old Kmart warehouse is being sold and 147 employees are being laid off. The use of the building will likely change. The new owner has not yet been named but will take possession on September 16, 2026. He has to wonder what plans the new owners have for a 2,000,000 square foot building located in an industrial zone. Mr. Tadlock said he no longer has confidence that this Board of Supervisors will act in the best interest of the people of Falls Township.

Ms. Michelle Erhard (Falls Township) thanked the board for listening to her this evening. She wants to go on record to say she is very unhappy about data centers coming into our community. The more she has learned and gotten involved in the process, the scarier it is. What happens to the water after it leaves those factories and how is it affecting our communities? Apparently, there is an overflow of wastewater that is sent to golf courses

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and other places thinking it's safe. How would we know that it is not contributing to some things happening in our community in terms of bacteria and things spreading quicker because of that? Ms. Erhard is concerned about the electricity and rates going up as well as the noise levels as she lives close to this area. She finds it very unsatisfactory the way things transpired in with this data center coming into our community. She feels as though it was either underhanded or it was poorly researched and there wasn't good exploration into what the challenges are, what the fears are, and what things are occurring. As she is learning more about data centers, it makes her increasingly disturbed. She does not believe people in Bucks County are happy about the data centers. Her wish is that it will be slowed down in any way possible until we can obtain more information and have a better understanding of what's going to happen and mitigate those negatives as much as possible. Ms. Erhard does not believe that Amazon and the company that came in here would have taken such efforts to do it so underhandedly had they known there were good things going on and they had nothing to fear. Ms. Erhard attended the town hall but was not satisfied with the information that was presented. She felt like it was a big smoke screen and a big sale. Ms. Erhard said she is going to stay on top of this issue because it is of great concern to her. She is concerned with everyone in the community who may be negatively impacted by the data center. Ms. Erhard thanked everyone for listening and asks that you continue to be vigilant in getting all the information you can about this process and helping to make sure that our community is safe and well cared for in the process.

Ms. Jeannie Fissinger (Falls Township) said for 15 years she was a Senior Vice President for a healthcare company and did regulatory compliance for health and employment law so she knows how bold the regulations are. One of the things that upsets her is the oversight of these regulations following state and federal law. State laws that are as many as 50 plus years old. The oversight is left to the local authorities. At the first public meeting two or three weeks ago, Ms. Fissinger asked the Morrisville Water Authority for their drought contingency plan. She received a copy of the plan and the last time it was overhauled was 31 years ago, in 1995. In 1995, the maximum water usage for this area was 800,000 gallons of water for residents. At the meeting a few weeks ago the engineer said that two and a half million gallons of water was needed to meet the needs of the community and another four and a half million gallons to meet the needs of the Amazon data center. People got upset and said wait a minute all this water comes from the Delaware. They said there is service water and there is potable water. If there is a drought, we have a problem. Who is going to get first dibs on that water to cool Amazon's generators or for us to drink? Ms. Fissinger said she is upset about that along with the 250 tons of pollutants they are going to dump into the Delaware per year. You have to look at the effect of years and years of dumping that sludge into the water. Ms. Fissinger said we are far behind the times as far as our regulations go and it takes a long time to get these things through. One of the things you could do is to assemble a panel of people who are experts in these areas. She asks for a 180-day moratorium on construction on this project. Ms. Fissinger said she retired in March and did not know anything about this project. She realizes the regulations say they must advertise this in the Pennsylvania bulletin which is something that lawyers would read but she is not an environmental lawyer so she doesn't look at that section of the code. We need to edit the code because it says it must be in the PA bulletin and a newspaper. Newspaper circulation has gone down significantly. What about adding local television advertisement?

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We are seeing more of this in other counties with the public coming out and being upset about these types of issues. Ms. Fissinger would like the board to do the right thing. Ms. Barb Brejcak (Falls Township) said she was here when Waste Management came in and we were getting money from them. It was projected that we wouldn't be paying taxes by now. It was mismanaged but that's not your fault. Ms. Brejcak said there are three reasons why she is here. One is to give a shout out to the Police Department and specifically Officer Fanelli and his traffic detail. They closed part of South Olds Blvd. Ms. Brejcak lives on Stanford which is a thorough fair. She came to the meeting and voiced her objections. There are a lot of children, including autistic children, in her neighborhood. Ms. Brejcak had asked about speed bumps. What they did was to put extra officers on patrol and they painted 'stop' in the streets. They are fixing the signs and she appreciates that. Ms. Brejcak said, as a Township, we should have temporary speed bumps even if it goes halfway across the road. She knows they are a nuisance with noise, but it is a temporary situation, and it is going to save lives. She has triplets who live next door to her, two autistic children across the street, an autistic child around the corner as well as other kids down the street. Ms. Brejcak's second issue is on Goble Court. Large 18-wheeler trucks have decided to park there on the public street. This causes a vision problem when you're turning the corners. Someone is going to get hurt. Our roads are not made for those vehicles to park there on a 24-hour basis. Ms. Brejcak said her last issue is with the data center. She is not sure if she is for it or against it but believes there needs to be a pause on this project until we can get more information. She wants to know how it is going to benefit the community.

Mr. Wayne Bell said Amazon is going to use humanoids. They are going to come up online cheap. That is what the data center is going to be used for. Mr. Bell asked if the board signed any other NDAs. Mr. Bell wanted to know why the Shade Tree Commission and the EAC were combined. In January, Mr. Bell said he asked to be on all the committees and he was rejected. He would like to know why. He is not part of NAACP. Mr. Bell said he has a lot of experience and can be somewhat of a community advocate so people would know what is going on. He could have saved you some of the problems that we're having. Mr. Bell asked if you could reconsider putting him on all the boards and not rejecting him on any other board or subcommittee; what everybody needs to be on if anybody thinks that they can handle a little bit of high tech, not low-tech information because some of your members on there are low data, we need to bring up the high data. Mr. Bell asked where Chairman Dence was this evening. He said he saw Mr. Dence, Member Mullen and Member Loteckie along with the Manager at the data center meeting. Mr. Bell said he needs to keep up with Michael Clarke and Steve Santarsiero and the Harvie files. You really need to get involved in chemistry because of the chemical company that's coming around the schools. Mr. Bell said he will talk more about that if you put him on the committees and then he can talk about the chemical company that is coming into Falls Township. It is not the 2,000,000 square feet that is being bought up by somebody else. Ms. Jennifer Metzger (Falls Township) asked if the board would be discussing the E bike discussion of what was covered in Executive Session. Member Mullen said they would be taking public comment on that agenda item. Ms. Metzger said a lot of people are talking about the data center. We do not have standalone moratorium laws in the State of

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Pennsylvania as a Commonwealth. We are limited to 1968 to 1970s laws. A lot of the townships right now are using the established tools that we have under the Pennsylvania Municipality Planning Code. You hear us mention that a lot of townships are formally declaring their current zoning ordinances are substantively invalid. These are regarding modern data centers triggering the legal 180-day window to research, draft, and adopt the correct zoning amendments while deferring specific applications that are coming up now. We are not trying to stop the prior data center as that is already done. Our concern is that the area of the Keystone Trade Center North Point has 1,800 acres. Right now, 2 million square feet have been passed with two buildings for the data centers. We want to know if you are going to do the 180-day moratorium like Bensalem Township and other townships throughout Pennsylvania so that we have time to update our zoning ordinances. We understand that all the jobs that were supposed to come for the warehouse have changed. We are now down to 125 jobs that are going to be at that location, so we really want you to review the KOIZ because it was given for 10,000 warehouse jobs, not 125 jobs that are going to pay under \$80,000. You do legally have the right to pass any changes to the property line noise and emission ordinances and to the overall outdated warehouse ordinances that we have. Ms. Metzger said she cannot complain about it because she works from home. Her entire company is from home, and they use AI all the time. She understands why we need it but not in our community if we didn't have to. If we were going to do it here, could we fix some of the infrastructure items? Could we have them pay for their own utilities? Could we make sure that all systems are properly metered, inspected, and monitored? These are the things we're asking for. With the company Nuuly, what is this laundry center coming here to clean rental clothes from 50 states? We do not need this on Penn Valley Road. It is one million square feet. It should be down at the steel mill complex as they have water treatment plants that we can monitor in the process of updating the ordinances. They should not be located on Penn Valley Road, literally one stop up from Mill Creek where you've spent millions of dollars on Martin's Creek for the flooding, the contamination and different problems that we already have within a mile of the facility. You are also separating the mobile home parks down Penn Valley Road from the Manor Elementary school that their kids go to. You are separating people who are disabled and lower income. Our mobile homes are pretty expensive with lot rent but you're separating them from the hospitals if anything goes wrong on Penn Valley Road. It's one way in, one way out. Ms. Metzger said she is mentioning this because it has been fast tracked just like the data centers were fast tracked. This is going to be at the Planning Commission tomorrow at 7:00 p.m. This is starting to go through all the subcommittees. They have already discussed it at the EAC and the Shade Tree Commission in June. Children are at risk, the rest of us already have cancer and are dying so what difference does it make now? Ms. Metzger is asking everybody in the community to really watch because every time you put something on the agenda, we appreciate that you at least list it, but the three sentences don't say anything.

Ms. Toni Battiste (Falls Township) asked about having a clock in this meeting room. Ms. Battiste said in researching the data center, she has a lot of questions. Are the supervisors still under the NDA that was signed? If you are, that is not a good thing because Ms. Battiste thinks you are violating Sunshine Laws by holding discussions with other parties to the NDAs that have not been shared with the residents in a public forum. It has resulted in a

proposed warehouse that was supposed to employ hundreds of people to a data center without a fully vetted environmental study. Now, it has 14 buildings according to their sources at the information meeting that was held. Fourteen warehouses, not one, and now it is a data campus. Ms. Battiste does not believe either of those items, the data center or the data campus, had separate applications. She thinks they all fell under the warehouse, but we don't know that because it's not public information and it was never discussed at the meetings. How are they getting 14 buildings out there when you authorized ten? Is there more that we don't know about? If the NDA is still active and valid, you are keeping us from the transparency and truthful information that should be here in these meetings. What benefits is Falls Township and its residents getting out of this data center? Ms. Battiste said she understands everything that we are going to get in terms of non-benefits including lousy water, lousy air and all the other things. The data center is built on a brownfield which North Point was going to remediate. Did that happen and who inspected it? Part of the brownfield was supposed to remain covered because of the severity of the Steel Mill toxins that had occurred and whatever else was out there. Has that occurred, was it kept covered, or has the cover been disturbed and now we are exposed to the toxins through the air, water and very possibly through the groundwater if it's seeping through the ground because the ground was disturbed? Who was supposed to check this? Did they check and were any reports done? Did you at any time take any remuneration from North Point and or Amazon during the last five years?

Ms. Sarah Kirk (Falls Township) has a direct question for anyone here who could answer it. The Pennsylvania DEP is currently proposing a 500-hour annual limit on the operation of diesel and gas generators. Right now, there is an open EPA permit to add 208 generators on top of the already existing 75 plus generators. They explained at the town hall that they have to stay under a threshold of air pollutants every year to be a minor polluter. We have to trust that Amazon is going to self-report that. Ms. Kirk's new concern is they are doing this math, and they figured it out for that minor polluter with that under 500 hours per year. Just recently, the Federal government made all data centers go on to their emergency generator power and the last one was a week, so that ended up being 168 hours. There was another one before that that went for days. What we are looking at is well over 500 hours to be ran on those generators if we continue to have global warming the way we are. How are you going to make sure Amazon stays a minor polluter because that entire infrastructure down there is already a major polluter? They report that this is going to be safe for the community to breathe the air with it at this minor polluter status. They are at 24.9 and 25 is considered a major polluter so how are we going to make sure that our kids are breathing safe enough air? Ms. Kirk said it is very frustrating to be a Falls Township resident right now. She said we are being treated like second-class citizens to the corporations, especially Amazon. You signed an NDA and we are supposed to allow this huge data center. It is now 11 buildings and it's over 3,000,000 square feet and we're just supposed to accept it because you made a decision without consulting anyone in your community and that is really disgusting.

Mr. Dell Andrew (Falls Township) said he has worked at the Keystone Industrial Park and he has worked down there since it was U.S. Steel, U.S.S. Real Estate and now it's North Point. Mr. Dell said everyone is complaining about the water usage. How many gallons of

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water do you think would run past the steel mill facility and head towards the bay and go to the ocean as we speak? We can venture a guess at how many millions of gallons just since we've been sitting here. That water is gone and on its way to the Atlantic. These diesel generators are there in case they lose power. If they lose power for a week or if they lose power for 10 days, they are going to run if they need to run. They are compliant with today's diesel engines. Anyone who has a diesel engine knows the amount of pollution control units that are on these new engines. They add almost \$5,000 or \$6,000 to the cost of just a truck engine and they are a particulate filter. They run very clean compared to an old diesel generator. As far as location goes, there couldn't be a better location to place this data center. Mr. Dell said he noticed everyone here has a computer, cell phone and everything else but they don't want to have the data to store this information. Where would you put this data center? Would you put it at the Kmart warehouse or would you put it at Strick Trailer? No one will hear these generators. There is not a house within a mile and a half of this building. Mr. Dell does not know how they claim they are going to be dumping 250 tons of sludge in the river. Where do these numbers come from? Mr. Dell understands this is a closed-loop system almost like a car radiator. This is cooled, recycled, cools the equipment and is continuously recycled. At some point, it gets changed out. When is the last time you saw the Delaware River dry and everybody here crawling there to get their last drink of water before they perish? This is the only place in this whole county that would fit their build. They don't have 11 buildings. Mr. Dell said he works down there and sees what is going up. If you want to put a stay on this, why don't you talk to the 2,000 construction workers that are from almost every state coming up here, staying up here and working up here. You can't just shut down a project of this size for any amount of time. The amount of money that would be lost is unbelievable. Everyone here is crying that their electric bill is going to go up but they didn't cry when the school district put up a \$300 million school that raised their taxes far more than the electric bill. Mr. Dell said he is the only one here who is pro data center but the fact of the matter is, this is something we need and we can't do without. That location fits the bill perfectly. They have access to water, cooling and there is rail and roadways. That is a perfect place for heavy industrial and that is what it is zoned for.

Ms. Alexandra Tioxin (Falls Township) is a Registered Nurse and a Federal Nurse Corp Scholar. Ms. Tioxin has been following the construction of the Amazon data center with great interest. Regardless of whether someone supports or opposes the project, she thinks we can all agree that the people of Falls Township deserve honest and transparent communication from the officials they elected. As construction continues, residents continue to have important questions about water use from the Delaware River, emergency backup generators, potential air emissions, noise, electrical infrastructure, emergency planning and long-term impacts on our community. Many residents have expressed concern that confidentiality agreements may limit what our elected officials are able to discuss publicly. If the agreements prevent open communication, she asks the board to consider requesting that Amazon voluntarily release the Township and its elected officials from any confidentiality provisions that are no longer necessary. The negotiation phase of this project has passed. We are now in the construction phase where public trust depends on transparency. Ms. Tioxin said she respectfully asks the board to consider adopting a transparency resolution requesting that Amazon allow Township officials to answer

questions from residents as fully as possible and encouraging the public release of non-proprietary information relating to environmental impacts, water use, backup power systems and emergency operations. Transparency benefits everyone. It helps residents make informed decisions, reduce misinformation, and strengthens confidence in local government. Ms. Tioxin drafted a proposed resolution and hopes the township considers reviewing it to see if this version or some version of this may be appropriate to give to Amazon. It is a proposed resolution supporting transparency and public communication regarding the Amazon data center project.

Mr. Dylan Caracappa (Bristol Township) said it is public information that the data center is going to be 11 warehouses and that is on Amazon's website and any press reporting on it. There is a big distinction between an AI data center and a normal data center.

Anyone who uses a phone or computer does use data centers. An AI data center is specifically for artificial intelligence computation power and like this one, they specifically have contracts with the government where they are going to be utilizing it for surveillance using flock cameras, axon cameras, ICE operations and FBI and that is the part Mr.

Caracappa said he is concerned about. He also has concerns about some of the math posted on the air quality permit that was made public. They use a calculation to measure tons of emissions from the data center because of the generators powering it, and it is going to be the amount of emissions, pounds per gallon of fuel used, times the amount of gallons used per year and then translate that to tons. What they promised is that they were going to keep the nitrous oxides, carbon monoxide and volatile organic components under 25 tons. Mr. Caracappa said his math does not show that because when he calculates them, the sum of the 72 2,750 kilowatt diesel generators, the 1,600 kilowatt generator and the 400 and 250 kilowatt generators, if all are control generators, which means they have the previously mentioned filters in the engines, that keeps the emissions as low as possible that is still going to be in the absolute best case scenario with all the generators 500 hours per year, it would be about 18 tons which would fall under it. Most of the generators don't have them because it would be very expensive. Some of the generator models don't have the option to have controlled emissions. It is probably closer to half of the 72, so 36 of the 72 major diesel generators are going to be running all the time which means it was going to be closer to 125 tons per year just diesel. Mr. Caracappa said he calculated the natural gas ones as well and got a very high number. It is around 40,000 but that is a ridiculously high number. Mr. Caracappa said his numbers for gallon usage are based off general information for the power usage of these generators. He said this is a serious concern, especially because no official environmental study was conducted, and believes the generator application should be paused for further review. Member Mullen wanted to address some things. She understands it can be frustrating when you're up here and you want to ask questions and we don't respond. Getting into a back and forth actually infringes on your right to speak. If we take part of your five minutes, that is not you getting your right to free speech so that is why they are quiet. A couple of things that were asked and commented on, she is not going to be able to get to all of it but a few things that seem to be repeated she wants to clear up. The NDA is no longer in effect. The NDA that the Board of Supervisors had to sign had to do solely with the end user being Amazon. We were not barred from saying that it was a data center. At that point it had been reported to be a data center. After we signed the NDA, we

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just couldn't say that it was Amazon. It was publicly reported to be Amazon about two weeks later. That was the only thing that we signed and if you file a Right To Know Request with the Township, you can get a copy of the NDA. Member Mullen said she knows people have an issue with transparency and thinks you have a good point. With the advertisement methods that all municipalities use, we need to find better avenues to reach you. With the data center, we did nothing different than we would do with any other land development project. There was a noise variance for the data center that went in front of our Zoning and Hearing Board in August of 2024 saying it was a data center. It was approved in August of 2025 by the Board of Supervisors. There were a handful of people here. It was advertised. Member Mullen understands after that, the national temperature and the global temperature of data centers really increased and was a big word of mouth and a social media thing and that is how she knows a lot of residents have told her they found out about it. Their neighbor may have told them or somebody was up in arms about it and Member Mullen thinks that is great and she loves that you are all here. We didn't hide anything. We just did the normal course of business as they do with anything and if they had known this would get like this, of course they would have done more and had town halls. It is very hard for us to predict what the public is going to care about and if you go back to March of 2025, it wasn't like this. Someone asked about the remediation of the brownfields at the Keystone Data Center. Jeremy Michael from North Point did a presentation at the DEP meeting and thinks he said it was separated into 11 sections. Nine of the 11 have completed remediation and there were two outstanding that are still being done. Member Mullen asked Mr. Shepherd if we can get in touch with the presenters from that meeting to obtain their PowerPoint presentations. Some of the operational items they are just not going to be able to quote for you off the top of our heads. Member Mullen said the Board of Supervisors did not personally get any benefits from Amazon. We do not have anything to do with the air-quality permit. Any comments or errors found in their math should be directed to the DEP. Mr. Shepherd said he wanted to follow up on certain aspects of the project which are frustrating to people because it's the United States and there are different levels of government. The supervisors regulate what they can through zoning and land use. They have land use authority. The air quality permits are through DEP. The interplay between federal and state law when it comes to how air quality regulations go, is beyond anybody on the board's ability to regulate data to address it. Those questions are good and they need to be addressed with DEP who answers everybody in the State of Pennsylvania concerning their regulations. Mr. Shepherd is sure they would be happy to answer those questions for you if you present questions to them. When it comes to air quality, we can't regulate that. The water withdrawals from the river are not regulated by the supervisors. There is no authority to do that. There is an interstate pact, and the federal government is part of that. All those river withdrawals are regulated by that organization. It is not the supervisors. They would have no ability, even if they wanted to. They have no ability to regulate that, it's just not possible. The things we can do, he is sure they are interested in doing. But the things we can't do, we just can't do them even though it might be upsetting to you that we can't do them.

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There was a break in the meeting at 7:03 p.m. and the meeting reconvened at 7:09 p.m. Member Mullen said she was just corrected that it was not correct for her to say that the NDA is not in effect. It is still in effect, but you are free to see it and look at it.

ITEM # 3 CONSIDERATION OF APPROVAL OF CERTIFICATE OF APPROPRIATENESS – 101 MAIN STREET, FALLSINGTON, TMP – #13-020-236 – INSTALL ROOF OVER EXISTING PORCH AND REAR ENTRANCE AND INSTALL OUTDOOR FIREPLACE

Member Palmer moved to approve the Certificate of Appropriateness for 101 Main St, Fallsington, TMP # 13-020-236 to install roof over existing porch and rear entrance and install outdoor fireplace; Member Loteckie seconded the motion; all board members were in favor. (3-0)

ITEM # 4 CONSIDERATION OF APPROVAL OF CERTIFICATE OF APPROPRIATENESS – 119 YARDLEY AVENUE, FALLSINGTON, TMP – #13-020-268 – REPLACE VINYL FENCE WITH WOODEN FENCE IN FRONT YARD – 3 FT HIGH

Member Palmer moved to approve the Certificate of Appropriateness for 119 Yardley Avenue, Fallsington, TMP # 13-020-268 to replace vinyl fence with wooden fence in front yard, 3 ft high; Member Loteckie seconded the motion; all board members were in favor. (3-0)

ITEM # 5 CONSIDERATION OF APPROVAL OF PETITION FROM 654 LINCOLN HIGHWAY, LLC TO VACATE HIGHLAND AVENUE

Mr. Gallagher said the applicant has requested that this be continued from this evening's agenda so item number 6 will be tabled. For item number 5 we did look at this and it requires an ordinance in order to be able to consider this petition. We recommend that the agenda be amended so that it is authorization to advertise an ordinance vacating the road in question - Highland Avenue. Member Mullen said we do not have any documents on this. It says they'll be sent over on Monday. Mr. Shepherd said this is a paper street, even though we are vacating a right of way. It is within the confines of the property. As part of the development application when it was reviewed by the Planning Commission, it was reviewed in the manner that the the right of way did not exist because if it did exist, it would impact the development footprint of the property. Even though we are vacating it, you would never know because there is nothing on the ground. There are no improvements. Ms. Gallagher said part of the land development plans do include a road vacation plan so Mr. Jones will be able to comment on that next month. Ms. Toni Battiste said this was brought before us before and the subject of that street that's a paper street, she thought was supposed to be divided halfway with half of it going to the business at 654 and half of it going to the resident whose property backs up to it. What is this trying to do? Ms. Gallagher said this is authorization to advertise for consideration of an ordinance. If the ordinance is approved, it would vacate the street to the abutting property owners. Member Loteckie moved to amend the agenda to authorize advertisement for ordinance to vacate Highland Avenue; Member Palmer seconded the motion; all board members were in favor.

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(3-0) Member Loteckie moved to authorize advertisement to vacate Highland Avenue; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 6 654 LINCOLN HIGHWAY, LLC – FINAL LAND DEVELOPMENT –
654 LINCOLN HIGHWAY – TMP # 13-017-231**

There was no action on this agenda item.

**ITEM # 7 CONSIDERATION OF APPROVAL OF TRAFFIC CALMING
MEASURES – THORNTRIDGE DRIVE**

Mr. Shepherd said Mr. Derek Kennedy is there this evening. At our last meeting we spoke about various options for traffic calming on a section of Thornridge Drive. Mr. Kennedy was charged with looking at a few additional suggestions that were made that night. He provided a report and the board has a copy of those additional things he looked at. Mr. Kennedy has provided some recommendations on what he believes are the proper traffic calming measures which the board should consider. Mr. Kennedy said after the last meeting there were a few questions, so they went back out to collect some additional data and, in particular, speed data. They confirmed some of their measurements and re-looked at some of the intersections. One of the questions was the potential all-way stop control and which intersections would be most suitable. Previously, they recommended Teaberry Lane as an all-way stop control and the primary reason was there are warrants that have to be triggered for when and where we can use stop signs. At that location, we have poor site distance so that warranted the signal at that location. We checked two other locations: Twin Leaf Lane and Thin Bark Lane and they did not meet the warrants. Essentially, the recommendation hasn't changed. It is still an all-way stop at Teaberry Lane. We also looked at on-street parking restrictions. There is a demand out there on both sides of the street. We are not making any recommendations to significantly reduce or eliminate parking as part of the plan. For pavement markings, there were questions about possibly using center line striping or reflectors or edge lines. We measured several locations along the roadway. It is about 34 to 35 feet wide and typically we need 37 feet if we were going to delineate lanes. We just don't have enough room to do that so we cannot make any lane marking recommendations. There was some discussion about speed humps. We still have them in there as an optional recommendation if opinions change. We did the work and identified two locations where they meet the criteria so that's still in there as an optional recommendation. We are recommending the continued use of the speed feedback signs. There is one out there now and we are recommending another one in the northbound direction. For the curb extensions with the raised delineators, there are two intersections that we are recommending using those so there are areas where there is no change to the physical curb line. It's just striping and reflectors and raised delineators that pull that curb line out in a sense, narrowing the roadway a little bit. Data research shows that those pinch points tend to slow people down and as they are approaching, they see the road narrowing. We typically get slower speeds through those areas. We are recommending two of those along the corridor. Those are the recommendations for about a 1/4-mile section of roadway. We think they should be effective to help lower speeds. They collected additional data and had two radar speed units out there for a full week. They had over 7,000 data readings. Most people were going 25 mph or less. They had one vehicle recorded going over 50 mph and the second highest was

around 35 mph. Most of the speeding is within what you would expect to see on a residential street. He knows there is an issue about enforcement as it is hard to enforce. When you have that few number of people speeding, it is almost nonexistent from an enforcement standpoint to be able to monitor and catch that type of activity. Member Mullen said we are talking about installing multi-way stop control at the intersection of Thornridge Drive and Teaberry Lane, curb extensions and bump outs at Twin Leaf and Thinbark with delineation with raised reflective delineators at those two locations and then we will continue to use speed feedback signs. Mr. Kennedy said the plans, the concepts, that's conceptual and so you know he would view that as optional, in a sense. There is no reconstruction of curb lines or repaving. These are low cost to implement type of improvements.

Ms. Nicole Paschke said she is so frustrated with this process. She came here a year ago and you are offering her two things that do nothing for the front of her house. She doesn't know how the other stop sign at Thinbark does not meet the criteria. Has anybody besides Mr. Shepherd driven Thornridge Drive? Member Mullen said she took the drive. Ms. Paschke asked Member Mullen if she could see coming down from Thinbark. Member Mullen said she can't say that she recorded her view at that time. Ms. Paschke said the humps, the curves from Teaberry to Thinbark are identical. At the Traffic Board meeting, they had talked about having her neighbor cut his hedges back because the only reason that it met criteria was because the hedges were too long. The neighbor on Thinbark has a huge white fence that blocks the distance view. How does that not meet criteria? You cannot see around a curb. People are catching speed. The speed has reduced because of that speed limit sign that flashes. She sees what you're saying about the speed and the average, but it's the outliers that kill people. These people are going to Falls Park to ride their E bikes because they probably don't feel safe on Thornridge Drive. She sees it right out in front of her window every single day. Sometimes the speed radar is not even working. She works night shift, comes home and it's not working. She doesn't want to hear about the data; she doesn't care. She wants to know how the stop signs do not meet criteria and why you cannot stripe a larger portion of the road. Why weren't they notified when Mr. Kennedy was coming out so they could collaboratively talk about this? We got a notification from Mr. Shepherd about the report that was done asking how we would like to see it. You know where she lives. You have her phone number. If we don't answer, then mail it. We have been dealing with this for almost 16 years and now her kids are involved. She doesn't understand why there is nothing else that can be done. She wants to know how you collaborate with the Traffic Board or do anything together because they say one thing and you say another thing. She was told not to go to the Traffic Board meetings anymore because this was being handled. Here we are a year later, and she gets reflectors and a stop sign that's probably going to make it worse for where she lives because people fly after a stop sign. Member Mullen will have Mr. Kennedy come up but she wants Ms. Paschke to finish her public comment first and then he will respond. Ms. Paschke said it has been an entire year for delineators. Mr. Kennedy said there are a couple of levels. There is what we call the Manual of Uniform Traffic Control Devices. It is a federal document that's put out by the Federal Highway Administration. Every state is required to adhere to that document. PennDOT adopts it. For multi-way stops, the manual clearly notes that stop signs are not to

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be used for speed control. There are warrants of when they are applicable. It is based on volume, crash history or intersection geometry or sight distance. None of the locations along Thornridge Drive meet the warrants for volume. It is just not high enough. The crash data was relatively low. There were four crashes over five years in the whole corridor itself. You need at least four or more crashes per year happening at an intersection to warrant an all-way stop. They look at sight distance as the other factor. At Teaberry Lane, they are recommending the all-way stop. They measure site distance and this is looking from the side street pulling out. The sight distance there was less than 100 feet. The state requirement at 25 mph for what they call safe stopping sight distance is 157 feet. They looked at Twin Leaf Lane, looking right, same perspective. The measured sight distance was 248 feet and at Thinbark Lane it was 179 feet. Based on what they have measured, they don't meet the warrants. Member Mullen said there is another stop sign at Tearose Lane. How did they qualify for that stop sign? Was that something you looked into? Mr. Kennedy said he is not familiar with that. Member Mullen said it is unfortunate that we just can't install traffic calming measures wherever we choose. This is a little more than reflectors. These bump outs could be effective and thinks that the stop sign is a start. If it's the only thing that we're legally allowed to do then she thinks we need to do it and then we can reevaluate it. These are the ways we have to calm traffic and they are worth a try. Member Mullen will support the recommendations of the Traffic Engineer's report including the multi-way stop, the curb extension, bump outs at both intersections and the continued speed feedback.

Ms. Jennifer Metzger said everyone spent a lot of time on this so she is glad there will be some relief. When would this be re-evaluated and when would we follow up and have this looked at again? Member Mullen does not know what the adequate time frame would be to collect certain data. Manager Shepherd said some of the things they know they can't do, even though they were recommended or they were at least looked at. We know we have limitations on them. We can look at traffic, and we would probably look at speed data. Speed data is probably the most beneficial thing for this situation so we would probably look at that. It could be three months from now or it could be six months from now. We could have the engineer do that. They did a one-week analysis. We could do the same thing. We are going to put up the stop sign and intersection improvements with candlesticks to narrow the intersection. The board must vote on the ordinance for the stop sign. Once that's done, then we can physically install it. Ms. Metzger said when you say speed, is that something where the traffic committee will get another speed sign that they can actually use? They were the \$6,000 signs that a grant was applied for last year. How would that be tested because she understands they are within the 37 mph for the speed problems on a 25 mph road and one of the questions they asked the engineer was how they get the 25 mph dropped to 15 mph because 25 mph is really not appropriate for that many winds and bends. Mr. Shepherd said the minimum speed on residential streets in Pennsylvania is 25 mph. The state statute is 25 mph. A state road is 35 mph. Ms. Metzger said when she drove this section of Thornridge Drive, all the lights are on one side of the street and it may not be enough for the reflectors that we all suggested because the street is so wide and there's no light on the side of the street where this family is. It is actually extremely dark for some of those curves at night. Ms. Margaret Marino (Falls Township) asked about another radar being installed. Member Mullen said yes, we are going to continue the use of speed

feedback signs installed in both the northbound and southbound directions. Ms. Marino asked where it is going to be put because there are no poles on her side of the street. Mr. Shepherd said they will look at where to put it and figure it out. Ms. Marino asked if these two are going to be permanent. The one that is up there now does not affect them and the stop sign that is going up does not affect them. She wants to know if there's going to be a radar sign on her side of the street up a little after Thinbark which doesn't pass the stop sign test. You should take a ride and come up Thinbark and see if you can turn left when there were cars parked on that side. If there is a car out there, you have to inch out. Ms. Marino said she is not impressed by anything that he came up with and doesn't know how much money the Township has spent on him or that company but so you know, Officer Fanelli did more over and above what Mr. Kennedy has recommended. Member Mullen said it is not Mr. Kennedy's fault. Mr. Kennedy must do all these things to see what we could do. It is a lot of exploration and sometimes this is what it takes to figure out what we can do. It's been a lot of work, and we've spent a lot of money trying to do more. We will install a multi-way stop control at intersection of Thornridge Drive and Teaberry; install curb extensions bump outs at the two intersections identified in exhibits 12 and 13 and that is Twin Leaf and Thinbark; and utilize reflectorized tubular raised delineators as an initial treatment, consideration for raised curb bump out can be made in the future. If this temporary one works out, then we could make it a permanent situation and continue use of speed feedback signs along the corridor with signs installed in both the northbound and southbound directions. The Township could be open to making these things permanent to the extent that any of them are temporary. Ms. Marino asked when this would start. Mr. Shepherd said it has to be approved by the board. The stop sign will take a little bit of time because it is an ordinance by the board. If the board approves the other improvements, we'll review those with Mr. Kennedy and he'll help us lay them out. It is not something our Public Works department normally does. The signs won't be an issue, but when it comes to making the curb extensions and the markings with the delineators, he'll probably help us lay it out. If not, we'll get Joe Jones to help us with that, and Public Works could do the work. If not, we'll look at a contractor. We're talking about a matter of months. Ms. Marino said once it's installed, are you giving us three months or six months? Member Mullen said we are going to see how it goes. Ms. Marino asked if speed bumps are off the table. Member Mullen said they are not off the table. They have had some negative feedback about them. We want to try these things, but nothing is off the table. Ms. Paschke asked if there is any other signage through PennDOT that they can do with an upcoming curb sign with an arrow. It would give a heads up for people who are not used to driving on this road, something else for people to be alerted before they get to that spot where they are slamming on their brakes, swerving, and nearly hitting their parked cars in the street. Member Mullen said they can continue to investigate that and they can ask but she does not want to keep it from them taking some action tonight. Mr. Shepherd said some of those signs she's just mentioning are advisories, so the supervisors don't have to take action on those. If we believe an advisory would assist with 15 mph on a curve whether it's some like an S bend sign in advance, we can do that with Mr. Kennedy's recommendation and we can install those. He assumes it is an advisory that is warranted and assumes the board would be in favor of that. Member Mullen suggested that Ms. Paschke e-mail the Board of Supervisors so that we can stay on

top of this together. Ms. Sarah Kirk said she is familiar with Thornridge Drive and she has a similar problem in her section. She lives right by Pennsbury High School and the buses and the people leaving the school fly by during those school hours. She wants to make sure the readings were done during the school year too. Member Loteckie moved to approve traffic calming measures on Thornridge Drive; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 8 CONSIDERATION OF APPROVAL OF RESOLUTION DECLARING
A PORTION OF THE FALLS TOWNSHIP ZONING ORDINANCE
SUBSTANTIVELY INVALID AND PROPOSING TO PREPARE A
CURATIVE AMENDMENT TO CURE SUCH INVALIDITY
PURSUANT TO SECTION 609.2 OF THE MUNICIPALITIES
PLANNING CODE**

Member Mullen said this is what is commonly referred to as a curative amendment. Ms. Gallagher said Section 609.2 does provide for a procedural mechanism when the municipality believes there may be a substantive invalidity in its ordinance. In order to invoke those procedural mechanisms, the Township has to pass a resolution. It is a protective measure so that if there is a substantive validity challenge that comes in, the township does not have to entertain that substantive validity challenge during this 180-day period. That would start this evening. They looked at the code and cited a couple of different sections they believe may trigger this substantive invalidity. They are Chapter 209 Article 2 Section 5, Chapter 209 Article 4 District Regulations, Article 5 General Regulations and Article 6 Exceptions and Modifications. They have listed all those in this resolution. If this passes this evening, then the township staff will review those cited sections to determine whether there is in fact a validity that needs to be corrected. An ordinance amendment will be prepared and will be brought back to the board for consideration within that 180-day period. Member Palmer said we heard the people about this 180-day moratorium. Ms. Gallagher said this is a protective measure for any substantive validity challenge so if a developer was to bring a substantive validity challenge for any of those sections that are cited, the Township would not have to entertain that. It is just that protective mechanism.

Mr. Kevin Schwaller (Lower Makefield) wanted to speak in support of the curative amendment. He believes there are things in the zoning code that could be improved. One of the things they have heard a lot about is transparency and about making sure the public knows what is going on. He thinks some of the confusion when this first came up was because the property is in the MPM. When people see it on the agenda, they don't associate that with the data center. They associate it with what they have heard in the past. When you look at the uses listed under that, there is nothing that defines data center. There is a warehouse and some other things but when you're reading through that, you hear very much the type of manufacturing that people associate with the steel mill that used to be there and not something new. Mr. Schwaller said there are a lot of unique challenges that come along with regulating a data center and where it goes. This is very important because the other thing you've already heard is a lot of speculation. People are afraid there is going to be another surprise and there will be more data centers that pop up on additional sites. Without a tool in place defining exactly where data centers are permitted and in which zoning

districts, the public cannot easily determine where they may be allowed or make sure future expansion is limited. The public needs to have the opportunity to see this on the agenda, to comment and speak their voice. Defining a data center is very important along with the challenges that come with it. Mr. Schwaller said he cannot quickly pull up the sections of the zoning code to view which ones are applicable under the curative amendment. He wants to make sure this will allow the township time to discuss defining data center and where those limits can be. Mr. Schwaller asked if there is availability without needing to go through an RTK to be able to view this ordinance or this agenda item in full or other ordinances so that people can actually read what is being voted on and be knowledgeable about that before they come up to the podium. He would prefer to read through the curative amendment to be more informed. Member Mullen asked Mr. Shepherd if this is something we can post somewhere. Mr. Shepherd said if we get to a point where there's a draft ordinance that is being provided to the Board of Supervisors for consideration and ultimately it will go to the local Planning Commission and the County, we can certainly post that on our website. Ms. Gallagher said this would be a zoning ordinance that would be required to be advertised.

Mr. Anthony Paul Pinto (Lower Makefield) said he understands there is a pause, but the spotlight is on us. Communities throughout Bucks County and beyond are watching this board and how they handle everything of this magnitude. Mr. Pinto said he attended the meeting at Pennsbury High School. Many residents felt frustrated we asked DEP, Amazon, PECO and MMA about power and water usage and a lot of questions were not answered. Mr. Pinto spoke about a community benefits agreement which is basically like a pre-nup. If this project is expected to bring significant changes to our township, then the benefits to our community should be clearly defined, legally enforceable, and available for public review before decisions are made. Residents should know exactly what they're getting into so they can protect themselves. Mr. Pinto asks this board to remember that the concerns being raised tonight are not coming from just a handful of people but a lot more. Residents and surrounding municipalities like himself and other ones like Morrisville and across the river are worried about the well-being and understand the risk. Mr. Pinto respectfully asks the board to slow the process down even further and try to pursue this CDA maybe just to protect us even more.

Mr. Dylan Caracappa said he is the Bucks County Spiderman. It is something he does to try to bring community advocacy. He tries to inspire people and raise awareness of issues going on in society. He primarily does litter cleanup, but he is just one guy trying to do as much as he can to help people. He cannot put emissions into a trash bag. Mr. Caracappa wants to make sure that we have enough time because of the curative amendment to contact DEP and maybe raise questions about the numbers that he brought forth earlier in this meeting. He wants to make sure there are no errors on their part and that we know this data center can either be shut down or delayed or at least refined/scaled down to the point where we know it's going to be safe for everyone. That is really all he is trying to do at the end of the day.

Ms. Jennifer Metzger said with the infrastructure and the Amazon data warehouses, why is it they didn't have to go through and bring their own power, or they didn't have to figure out what the water and utility usage was going to be once they changed it. It was on March 24,

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2025 when it went from distribution to a digital infrastructure campus. That was what we got during the meeting. A bunch of us asked questions about these utilities so we are hoping that when you rewrite some of these ordinances, you can look at all of it. It is the infrastructure you've written into the code, our emergency encroachment into the community, safety, the biological and chemicals that are in these facilities because there are a lot of different things that are affected in these ordinances because they're just not mentioned at all and granted, our world has changed. This is like the fight with the IRS about cryptocurrencies. They didn't write anything until six years later. That is why we are asking you now when you do this mini moratorium for the future, what is it going to look like for the rest of the warehouses down there in the Keystone Trade Center in North Point and what is it going to look like for places like the Nuuly warehouse that is being brought up into Falls Township on Penn Valley Road? Can you go to your Board of Commissioners and have them help you because they are rewriting ordinances for all of the townships? Can you visit this three months from now and say this is the rough draft? This is what everybody has a chance to look at. Can we make sure that it is hitting all these things especially if you're willing to post it which is amazing? We appreciate what you're doing. Please ask for help and please also consider them bringing in their own power. When some of the other townships like Bensalem consider these ordinances, they are going to look at solar, fusion (nuclear), and whether these natural gas generators are really bringing their own power. They are using natural gas from us to power those generators.

Ms. Toni Battiste (Falls Township) said she is concerned that you've only listed four areas in the whole zoning section and thinks that most of it should be reviewed in terms of what we need to do as a community to make sure that anything that goes out there is safe. Nowhere are we saying anything about making sure that brownfield isn't a brownfield anymore and we are making sure the places that were supposed to be covered, are covered and not disturbed. Ms. Battiste said she would be concerned if any of Amazon or North Point has been involved in helping to decide what needs to be revamped. Limiting it to four is not the way it should go. Who will be responsible if they decide to shut down because all the new tech gets smaller and if they no longer need the big buildings, then what? What about our fire and police people if there's a fire out there? Who is managing it and who is paying for it? Who has the equipment to control it? What happens if a fire spreads to the chemical companies that are out there? There needs to be some financial responsibility, and it needs to be defined. If they are going to expand, there needs to be limits on the expansion. There needs to be limits on how many megawatts or gigawatts they will be using and there needs to be limits on water.

Member Mullen said she appreciates everyone coming and wants to be honest. She does not take this lightly and does not think any municipality should. This is something that we are activating now. We can't use it again for three years and a lot of this is still very much in its infancy. For these townships and ordinances that are being written, Member Mullen is not sure if they have caught up to what the public wants or what is required. Much of our current ordinance is more restrictive than some of the samples that she has seen because of our location at Keystone. You can't be so restrictive that it's impossible for a business to come here. She wants to make sure they are all putting their next foot forward in the right headspace of being grounded in facts and professional guidance and what is ultimately in the long-term best interest of the Township. We want you to know that we are open

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mindful, taking this seriously and that we hear you. Member Loteckie moved to approve Resolution # 2026-11, declaring a portion of the Falls Township Zoning Ordinance substantially invalid and proposing to prepare a Curative Amendment to cure such invalidity pursuant to Section 609.2 of the Municipalities Planning Code; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 9 CONSIDERATION OF APPROVAL OF RESIGNATION OF JAMES GOODWIN FROM THE TOWNSHIP OF FALLS AUTHORITY EFFECTIVE JULY 22, 2026

Member Loteckie moved to approve the resignation of Mr. James Godwin from the Township of Falls Authority effective July 22, 2026; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 10 CONSIDERATION OF APPROVAL OF RATIFICATION OF APPROVAL TO AUTHORIZE THE TOWNSHIP MANAGER TO ENGAGE THE SERVICES OF FLEISHER FORENSICS FOR PROFESSIONAL LITIGATION SERVICES FOR THE FALLS TOWNSHIP MUNICIPAL BUILDING PROJECT

Mr. Shepherd said as the board and some of the public knows, the municipal building project did not go exactly as planned. There are some things they want to look at and make sure there is nothing they've missed on their end from the standpoint of liability from anybody that was used in constructing the building, designing the building and things of that nature. This will give us an opportunity and if we need an expert, we can engage their services and we can get recommendations on what potentially if there is liability out there that's not related to the Township. This does our due diligence concerning the building and making sure we don't leave any stones unturned.

Ms. Jennifer Metzger (Falls Township) expressed her appreciation for taking the time to do this because she knows this is hard to go back and look at all of the paperwork and all of the details. We are not saying that it was intentional, but we do appreciate that you are reviewing everything. She is concerned about whether or not it's going to be all of the change orders that are reviewed or if it's just going to be the project in general. How in depth is this going to go? Member Mullen said it is very deep and that is why they are engaging a forensic expert. Forensics do the deep dives required for something of this scale. Member Loteckie moved to authorize the Township Manager to engage the services of Fleisher Forensics for professional litigation services for the Falls Township Municipal Building Project; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 11 CONSIDERATION OF APPROVAL OF ADOPTING ORDINANCE AMENDING CHAPTER 168 – PARKS, SECTION 2 – DEFINITIONS AND SECTION 14 – MOTOR VEHICLES

Member Mullen said they are not taking any action on this agenda item this evening, but will accept public comment on the proposed ordinance amending Chapter 168 Definitions and Motor Vehicles.

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Mr. Christopher Haynes (Falls Township) said his wife spoke earlier. They are both E bike riders in the park and ride about five nights a week. In the last six months since they have been doing that, they have had no incidents with any adult riders. They have witnessed a few underage or teenagers on minibikes or throttle only bikes, that are problematic. Other state parks and Bucks County parks follow the DCNR policies, and he hopes that Falls Township would not be more restrictive than the state and Bucks County parks. Mr. Haynes asks for consideration for the responsible riders and maybe come up with a way to police the irresponsible riders with restrictions on throttle-only bikes and speed limits. Member Mullen said the e-mail that you sent us provoked several conversations individually among the board.

Ms. Jeannie Fissinger (Falls Township) said she agrees with Mr. and Mr. Haynes and hopes you do not punish people who really need to have some sort of pedal assist on their bike. Ms. Fissinger said she is a Type 1 diabetic and got stuck somewhere once. Someone had to drive back to the house to get her sugar pills and things to eat and then drive her back and pick up the bike. She would appreciate it if you could keep this so that she can keep exercising safely.

Ms. Jennifer Metzger (Falls Township) said we were talking about this in the traffic committee meeting a couple of times. There are some great organizations that do assemblies for the kids in middle school but they are not able to do it at the high school where it is probably a little more relevant. When kids are riding these E bikes on the street, their parents aren't saying you need a helmet, you need to make sure your reflector is on and make sure you're not wearing all black at 3:00 a.m. in the morning. Our police officers can't chase them on highways because you don't want to cause an accident and you don't want the kids to get hurt. On the same token, how do you stop them or get to their parents? The other problem is that some of these people could be using these to get back and forth to work. We want to be fair to everybody who needs them but also try to figure out if there is any way for us to implement anything with the kids or people that really shouldn't be using these, especially on roads like Lincoln Highway.

Ms. Sarah Kirk said she agrees with everyone that if you are using the E bikes safely, that's the way they should be at the parks. Ms. Kirk has small children and at the park one of her children was almost hit by a kid on an E bike because he was flying around not paying attention. Are Park Rangers allowed to police them? You need to come up with a way to make sure people who are riding them safely are allowed to do it. Is there a way for us to work with the Park Rangers to make sure it's safe in the parks?

Mrs. Kathy Haynes asked when this would be brought back up again. Member Mullen said it will be back next month.

ITEM # 12 CONSIDERATION OF APPROVAL OF 2026 DIESEL AND UNLEADED FUEL BIDS

Member Loteckie moved to approve the 2026 Diesel and Unleaded Fuel Bids (Riggins – Ultra Low Sulfur Diesel less than 5,999 gallons and Sunoco-Unleaded Regular gasoline 8,000 gallons or greater); Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 13 CONSIDERATION OF APPROVAL OF ESCROW RELEASE

Member Loteckie moved to approve the escrow releases for Lower Bucks Home Builders for \$156,447 and Sunbelt Forest Products (400 Rock Run Road) for \$19,264.35; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 14 CONSIDERATION OF APPROVAL OF APPOINTMENT TO THE BOARD OF APPEALS, CABLE ADVISORY BOARD, DISABLED PERSONS ADVISORY BOARD, HISTORICAL ARCHITECTURAL REVIEW BOARD, HISTORIC PRESERVATION COMMISSION, POLICE PENSION COMMITTEE, TOWNSHIP OF FALLS WATER & SEWER AUTHORITY BOARD AND ZONING HEARING BOARD

There was no action on this agenda item.

ITEM # 15 MINUTES – JUNE 22, 2026

Member Loteckie moved to approve the minutes for June 22, 2026; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 16 ENGINEERS REPORT

Ms. Kristen Weber said the 2026 Road Program is currently on Willow Drive. They have demo for new installation and they are also setting some structures and some of the storm drain. For Pennsbury, they are prepping the foundation, installing sanitary and storm sewer infrastructure and constructing the storm sediment basin near Queen Anne and Hood. This work will continue for the next few weeks.

ITEM # 17 BILL LIST

Member Mullen provided a summary of the bill list. Ms. Toni Battiste asked about the inspection services for the second item under #1 Barry and United Inspection Agency. Mr. Shepherd said they do all the inspections. They are building related inspections for the Code Enforcement Department. Ms. Battiste asked if they had anything to do with the data center. Mr. Shepherd said they may inspect it but if they go, it is because we request them to go and is related to a permit. Ms. Battiste asked about the PLGIT Township debit card, \$54,000, and if that includes the software. Mr. Shepherd said PLGIT is who issues the credit cards. That is a combined list of all the credit card purchases made. We have E procurement through cards so that's what it illustrates. Ms. Battiste is looking at membership renewal certification, seminars, materials for \$54,000 and that is a lot. Mr. Shepherd said there are a lot of things that are procured electronically. Anything they buy from, for instance, Amazon who is a vendor or they may purchase from Home Depot and that could be purchased on one of those cards instead of issuing a purchase order. It's just a little bit different how the transaction works. Member Loteckie moved to approve the bill list in the amount of \$3,381,652.15; Member Palmer seconded the motion; all board members were in favor. (3-0)

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ITEM # 18 JONES ENGINEERING ASSOCIATES BILL LIST

Member Loteckie moved to approve the Jones Engineering bill list in the amount of \$265,582.50; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 19 MANAGER COMMENT

There was no Manager Comment this evening.

ITEM # 20 BOARD COMMENT

Member Loteckie – no comment.

Member Palmer – no comment.

Member Mullen thanked Manager Shepherd for the air conditioning but would like it to be a little warmer in here.

Member Loteckie moved to adjourn the meeting; Member Mullen seconded the motion; all board members were in favor. (3-0) The meeting was adjourned at 8:20 p.m.



Brian Galloway, Secretary