

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JEFFRY DENCE, VICE-CHAIRMAN	PRESENT
JEFFREY ROCCO, SECRETARY-TREASURER	PRESENT
BRIAN GALLOWAY, SUPERVISOR	PRESENT
JEFF BORASKI, SUPERVISOR	PRESENT

The meeting commenced at 7:11 p.m. with roll call and pledge to the flag. All Board members were present. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

PRESENTATION OF DONATION TO THE LIBERTY USO

Member Dence provided information on the Que for the Troops which the township has been involved with since 2011. This event raises money for the Liberty USO which serves troops here in the Delaware Valley. Member Dence spoke about Mr. John Kerner who volunteers with the USO and said he spends a tremendous amount of time helping the troops. Since 2011, the township has raised \$64,790 for this organization. Member Dence said there are several sponsors for this event, including A. Brooks Construction and the Bucks County Road Runners Car Club. Mr. Joe Brooks, from the Liberty USO, said they are a non-profit organization and they use zero tax dollars. Every dollar they spend is raised through special events. Mr. Brooks wholeheartedly thanks Falls Township for the donation and support. Mr. Len Pribish, from the Bucks County Road Runners Car Club, generously donated \$1,000 to the Falls Township Parks and Recreation Department. Chairman Harvie said the barbeque competition is a national event and a lot of work goes into this. There are teams from all over the mid-Atlantic region. None of this would happen without Member Dence, the Parks and Rec Department, Public Works, the Police Department and everyone else here who helps out. Member Dence said Mr. Matt Markey puts a lot of effort into this event and every department in this building is somehow involved.

**INTRODUCTION AND CONSIDER RESOLUTIONS FOR THE HIRING OF
POLICE OFFICER MICHAEL PARNES AND POLICE OFFICER ALEX
SANSONE**

Police Chief William Wilcox introduced two new police officers – Officer Michael Parnes and Officer Alex Sansone. Both officers were sworn in. Chief Wilcox thanked the police officers for attending this evening's ceremony as well as Judge Vislosky for all of her help. Chief Wilcox introduced the Police Department's new Administrative Assistant.

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

No one signed in for public comment this evening.

**ITEM # 2 FAMILY DINING, INC. – PRELIMINARY & FINAL LAND
DEVELOPMENT – 8575 NEW FALLS ROAD – TMP # 13-018-001-001**

Manager Gray said the applicant's proposed project consists of demolition of the existing approximate 3,220 sq. ft. Burger King and the construction of a new 3,900 sq. ft. Burger King and 1,800 sq. ft. café. Representing the applicant this evening is Ms. Ameer Farrell from Kaplin Stewart. Ms. Farrell said they received approval from the Zoning Hearing Board as well as the Planning Commission. The proposed plan will allow them to reduce the number of driveways and improve overall circulation. Burger King will have its primary entrance on Hood Boulevard and the secondary entrance will be on New Falls Road. The project will take about 100 days to complete. The second tenant has not yet been identified. Mr. Steve Walsh from Bohler Engineering reviewed the waivers which include parking and planting easements. Member Galloway said this seems to be a better use of the space. Chairman Harvie said the traffic engineer thought a traffic study should be performed. Mr. Walsh said they have a traffic impact study and will submit it to PennDot. Chairman Harvie had a concern with the secondary entrance and said there is no signage for people going across the entrance. Mr. Walsh said they can look at stop control or paint a stop bar and will address the issue with Mr. Sullivan's office to make it safer. Mr. Clarke spoke about the condition of entering into an agreement with the Fairless Hills Credit Union. The credit union needs to install a fire hydrant and has asked to be able to do that when the Burger King development is taking place. Ms. Farrell said they do not have any objection to doing that and will work with the credit union to get that resolved. Member Dence moved to approve Resolution 16-23 for Family Dining, Inc., preliminary and final land development, 8575 New Falls Road, TMP # 13-018-001-001; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 MORTON SALT, INC. – WAIVER OF LAND DEVELOPMENT – 100
MIDDLE DRIVE – TMP # 13-051-001**

Manager Gray said the applicant's proposed improvements consist of the storage of approximately 75,000 tons of salt in an existing warehouse building known as the T2-T4 building located at 10 Middle Drive. Mr. Stephen Benben from Triton Environmental represents the applicant. Mr. Benben said Morton Salt merged with International Salt about two years ago. This project is a support building that will be used as a storage facility. They are proposing lighting improvements. Waivers include parking, landscaping, sidewalks, and plantings. The applicant will comply with all of the requirements of the land development ordinance. Member Galloway moved to approve Resolution # 16-24 for Morton Salt, Inc., waiver of land development, 100 Middle Drive, TMP # 13-051-001; Member Rocco seconded the motion; all board members were in favor with the exception of Member Boraski who voted no. (4-1)

**ITEM # 4 115 LINCOLN HIGHWAY, LLC – CONDITIONAL USE – 115
LINCOLN HIGHWAY – TMP # 13-004-608, 609, 612, 616, 617 & 555**

Member Dence moved to open the Conditional Use hearing for 115 Lincoln Highway, LLC; Member Galloway seconded the motion; all board members were in favor. (5-0) Mr. Clarke said this is a Conditional Use application for 115 Lincoln Highway, LLC, TMP # 13-004-608, 13-004-609, 13-004-612, 13-004-616; 13-004-617, and 13-004-555, located in the Township of Falls, Bucks County, Pennsylvania. This is an application requesting Conditional Use and final land development to permit a car wash use at the property located at 111, 115, and 165 Lincoln Highway in Falls Township, PA. The applicant is represented by Mr. Edward Murphy, Esq. Mr. Clarke summarized the guidelines for this Conditional Use. Mr. Murphy said he understands these requirements. Mr. Murphy said what is being proposed is a redevelopment of the site, a single-tunnel car wash with vacuum areas. There are five separate tax parcels that make up this parcel. Mr. Murphy said there will be a right-in turn into the parcel and a right-out turn out of the parcel, onto Lincoln Highway. They agree with the township engineer's review with two notations: the vacuuming will be outside of the building and they propose to have coin-operation for the vacuum area. Mr. Christopher Vernon, the principal/owner of the business, provided information on the proposed plan. They will be open seven days a week with approximate hours of 8 a.m. to 6 p.m. Employees will be on site when the car wash is open for business. Mr. Murphy admitted into evidence, notice to surrounding property owners, and provided Mr. Clarke with a copy. Member Dence moved to close the Conditional Use hearing; Member Boraski seconded the motion; all board members were in favor. (5-0) Member Galloway moved to approve the Conditional Use for 115 Lincoln Highway, LLC; TMP # 13-044-608, 13-044-609, 13-044-612, 13-044-616, 13-044-617, and 13-044-555; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 5 115 LINCOLN HIGHWAY, LLC – PRELIMINARY & FINAL LAND
DEVELOPMENT – 115 LINCOLN HIGHWAY – TMP # 13-004-608,
609, 612, 616, 617 & 555**

Mr. Murphy provided additional summary of the proposed project at 115 Lincoln Highway. Waivers include sidewalks, setback, parking, wetland disturbance, location of features on the plan, and trees. Member Rocco moved to approve Resolution # 16-25 for preliminary and final land development for 115 Lincoln Highway, LLC, TMP # 13-004-608, 13-044-609, 13-044-612, 13-044-616, 13-044-617, and 13-044-555; Member Galloway seconded the motion; all board members were in favor. (5-0)

Member Boraski left the meeting at 7:58 p.m. for a family commitment.

ITEM # 6 CONSIDER AUTHORIZING TOWNSHIP MANAGER TO FINALIZE AWARD FOR BID FOR THE 2016 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM

Member Galloway moved to authorize the township manager to finalize the award for bid for the 2016 Falls Township Road Improvement Program; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 7 CONSIDER RESOLUTION FOR KALIMAR PROPERTIES, LLC FOR THE SEWAGE FACILITIES PLANNING MODULE

Mr. Sullivan said the DEP does not allow a commercial property to have an on lot sewage system. To allow it, they have to have a robust agreement for maintenance of that facility. Once that is in place, then the DEP will allow that to be approved. This resolution will allow them to submit to the DEP, the on lot sewage agreement between the township and the property owner, Kalimar Properties, which is located on old Bristol Pike near Mill Creek Road. Member Dence moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Mr. Fred Warren owns property at 1610 South Pennsylvania Avenue and asked if this is the old Stouffer Chemical property. Chairman Harvie said no. Mr. Warren asked about water treatment plant development near his property. Chairman Harvie said the Morrisville Water Authority was looking at a property, but at this stage, if they are looking to do anything, it would be years away. Member Galloway moved to close public comment; Member Dence seconded the motion; all board members were in favor. (4-0) Member Dence moved to approve Resolution # 16-26, for Kalimar Properties, LLC for the sewage facilities planning module; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 8 CONSIDER ON-LOT SEWAGE MANAGEMENT AGREEMENT BETWEEN FALLS TOWNSHIP AND KALIMAR PROPERTIES, LLC

Member Galloway moved to approve the on-lot sewage management agreement between Falls Township and Kalimar Properties, LLC; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 9 CONSIDER PROPOSAL FROM THE BUCKS COUNTY CONSORTIUM FOR THE VERIZON CABLE AGREEMENT

The township was contacted by Northampton Township to see if we want to join them in having the Cullen Law Group take the lead to negotiate with Verizon on our behalf. The current franchise agreement we have with Verizon expires in 2018. Member Galloway moved to approve the proposal to perform Verizon cable franchise services through the Bucks County Consortium through the Cullen Law Group; Member Dence seconded the motion; all board members were in favor. (4-0) It is estimated that the township cost would be about \$4,900 to negotiate this agreement.

ITEM # 10 CONSIDER CHANGE ORDER #1 AND CHANGE ORDER #2 FOR THE NEW FALLS ROAD SIDEWALK PROJECT

Manager Gray said change order # 1 is for a re-grade that was required for the sidewalk. Change order # 2 is for additional temporary bituminous paving, raising, and rebuilding of an unforeseen storm inlet and concrete paving and remobilization. Mr. Chris Fazio from Remington Vernick Beach is present to answer questions. Mr. Fazio said the contractor will come back and take care of the Thornridge area when they take care of change order # 2. They have received approval from PennDot for the drain. Member Galloway moved to approve the change orders # 1 and # 2 from Remington Vernick Beach; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 11 MINUTES – JULY 18, 2016

Member Dence said he viewed the video of the July 18, 2016 meeting. Member Rocco moved to approve the minutes from July 18, 2016; Chairman Harvie seconded the motion; all board members were in favor with the exception of Member Galloway who abstained from the vote. (3-0-1)

ITEM # 12 ENGINEERS REPORT

Mr. Sullivan said the 2016 Road Program is almost ready to get started. The landscaping portion of that project will be going out to bid. The Three Arches is close to completion. In regard to the 2013 Road Program, Mr. Sullivan said he is still in negotiations with J. D. Morrissey and they have agreed on the scope of work they need to complete. Member Dence moved to approve the July Engineers Report dated August 11, 2016; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 13 BILL LIST

Member Rocco moved to approve the bill list in the amount of \$1,737,166.31; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 14 EXECUTIVE SESSION

Mr. Clarke said prior to tonight's meeting, the board held an Executive Session to discuss two matters of potential litigation involving contractual relationships with the township as well as a personnel matter.

ITEM # 15 POLICE CHIEF REPORT

- Member Dence moved to approve Resolution # 16-27 for Officer Michael Parnes to attend the basic training program; Member Galloway seconded the motion; all board members were in favor. (4-0)

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- Member Dence moved to approve Resolution # 16-28 for Officer Alex Sansone to attend the basic training program; Member Galloway seconded the motion; all board members were in favor. (4-0)
- Chief Wilcox said that through some very good police work, they have made two arrests and recovered property from the break-ins in the Hedgerow section.
- The police department is doing tremendous traffic work.
- Chief Wilcox said they are in the process of putting together a new candidate list.
- Chief Wilcox thanked the residents and businesses of Falls Township for the continued outpouring of good will for the department.
- Chief Wilcox said Corporal David Ahrens has been sick and asks the community to say some prayers and send get-well wishes as he starts chemo treatments tomorrow.

ITEM # 16 MANAGER COMMENT

- A. Member Dence moved to approve the contract with Instrumentation Control and Energy Engineering LLC in the amount of \$650; Member Galloway seconded the motion; all board members were in favor. (4-0)
- B. The company doing work at the Three Arches, 18th Century Restoration, has three change orders: #1 in the amount of \$5,120 for windows; #2 in the amount of \$3,090 due to water damage; and #3 a deduct in the amount of \$3,510 work they will not be performing at this time; resulting in a net increase of \$4,700. Member Dence moved to approve the change orders in the amount of \$4,700 with regard to the Three Arches project; Member Rocco seconded the motion; all board members were in favor. (4-0)
- C. Member Galloway moved to approve escrow release # 8 for Mercer Court in the amount of \$5,918.31; Member Dence seconded the motion; all board members were in favor. (4-0)
- D. Member Galloway moved to approve escrow release # 1 for Gilleste Realty in the amount of \$727,163.32; Member Rocco seconded the motion; all board members were in favor. (4-0)
- E. Member Galloway moved to approve escrow release # 1 to Truck Smart in the amount of \$50,918.34; Member Rocco seconded the motion; all board members were in favor. (4-0)
- F. Manager Gray announced new businesses in the township. They are: John's Route 13 Auto Sales, Inc.; Nailed It II, LLC; The Fundworks, LLC; Palabora America LTD; and MJLS Holdings.
- G. Manager Gray has Truck Smart and KVK mylars ready for signature.

ITEM # 17 BOARD COMMENT

Member Rocco – no comment.


Member Dence said they had a very good meeting this evening. They gave some money to the USO and also had some interesting land development projects.

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Member Galloway said our concerns are with Corporal Ahrens. Member Galloway wished everyone a good night.

Chairman Harvie said prayers are going out to Corporal Ahrens. Corporal Ahrens was involved in the D.A.R.E. program so people may know him from that. Chairman Harvie said we have a lot of good projects coming in and said he looks forward to seeing more in the future. Chairman Harvie asks folks to keep an eye out for your neighbors, especially with the high temperatures we've been having. If you have to work outside, drink plenty of fluids, dress appropriately, and work smart.

Member Dence moved to adjourn the meeting; Member Galloway seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 8:30 p.m.



Jeffrey Rocco, Secretary

