

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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| 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 7:05 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. A moment of silence was held in memory of Mr. Roland Kenney, a Falls Township resident and long-time volunteer here in the township. Condolences go out to his family.

PRESENTATION OF DONATION TO THE LIBERTY USO

Member Dence said about eight years ago, we started with a very small group with the Que for the Troops barbeque competition and this year was the biggest event yet with over eight-five teams competing. They raised \$10,300 for the Liberty USO. There were other contributors as well. They are: the Falls Township Soccer Club (\$250); Abe Brooks/Kangaroo Construction (\$2,500); Delaware Valley Road Runners Car Club (\$1,200); and the Levittown United Little League baseball tournament (\$500). Ms. Kate McCloud thanked everyone who helped raise funds for the USO. They work alongside the military families and try to do everything they can to provide care, comfort, and support for those families. Every little bit helps, and this means so much to them. Member Dence thanked Matt Markey who does a tremendous amount of work for this event.

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

Mr. Ray Galenty thanked the Falls Township Police Department and the Fire Marshal's office for holding their citizens academies. Officer Yeager, Lt. Whitney, Cpl. Wolverton, Mr. Rich Dippolito, Mr. Ed Pullen, and Mr. Mike Margerum all do good work. Mr. Galenty said he learned a lot about their jobs and learned some good information to use at home. Mr. Galenty said he did not follow the New Falls Road sidewalk project very closely, but he was over in the area and said it turned out pretty good. Mr. Galenty asked about sidewalks in the area of Trenton Road/Tyburn Road and why there were no sidewalks installed when John's Driving School moved into their location on Trenton Road. He said sidewalks in that area are sporadic. Mr. Galenty said the township's efforts to control the geese population was another great project. He may have seen at most, half a dozen geese at the community

park. The geese found a home at Lake Caroline and there are hundreds of them at that location. Chairman Harvie said the latest police academy started last week. Both of the academies are very good programs. With regard to the sidewalks, Trenton Road toward Tyburn Road - that intersection is not an area where they want to encourage pedestrian traffic. What happened at John's Driving School was not land development; it was more refurbishing. It is the threshold of where you are depending on the work. For larger-scale projects they may require sidewalks.

Ms. Julie Winberg said she has been a Falls Township resident for over 30 years and she is here to address the current state of our local dog ordinance. In April, while out walking her dog, they were attacked by a neighbor's dog causing significant injuries to her dog. She is asking the Board of Supervisors to amend the current dogs at large law concerning the absence of a leash ordinance. She hopes to spare other dog owners the experience they have gone through. Ms. Winberg would like this ordinance to mandate the use of a leash and under physical control, by owner or keeper, when dogs are not confined to premise of the owner by means of a secured fence. As the local ordinance reads now, the dog cannot be deemed a nuisance, vicious, or destructive if the attack occurs on the front lawn. Without a witness, there would be no proof if the attack happened on the front lawn or the sidewalk. This leaves a he said/she said situation, causing the victim to prove otherwise. Doylestown and New Hope Borough recently passed laws requiring dogs to be leashed. Ms. Winberg said the last point she would like to make is the belief that dogs can run free out front. On August 31st, her granddaughter was walking home from a bus and was chased into the street by a neighbor's dog and later it was sitting in front of her house. That dog owner said that her dogs will still be playing out front. Ms. Winberg said the laws, as they stand, do not give the animal control officer the power to keep us safe. Ms. Winberg believes that most people do not have the time or resources to address this issue, but would welcome something to address this problem. Ms. Winberg provided pictures to the board. Chairman Harvie said this issue is something that bothers them and said our solicitor will take a look at state law and ordinances in other communities. There is some debate as to what you can and cannot do with a dog that is on your own property. There are certain restrictions that are on them, but they will look into this further and they welcome comments from other people.

Mr. Guido Mariani said he has some observations about the proposed YMCA. Open space is publicly regulated. The benefits of open space are to provide recreational opportunities, ecology, and esthetic value. Properties near open space tend to have a higher value. Open space is financially beneficial to our local government. The proposed location is near a flood plain and the YMCA said they have to be careful in regard to storm water management. The loss of drainage benefits alone will call for construction to control flooding or storm water near this location. There should be a buffer requirement since there are a lot of trees that will come down. Mr. Mariani spoke about how one tree can lift up to 100 gallons of water each day and discharge oxygen into the air. Mr. Mariani spoke about run off, traffic, and said the surrounding streets are not made for this kind of traffic. Decision making by the Board of Supervisors should explicitly examine environmental and quality of life considerations and how it will best serve our community. There are numerous other sites where they could build a YMCA. Member Galloway said he is a neighbor of that

park and has heard concerns from many of his neighbors. He hears Mr. Mariani's concerns and will listen to the residents of Fairless Hills. Member Dence said this is county open space, not designated as open space by the township. Chairman Harvie said Mr. Mariani talks about decisions the Board of Supervisors have to make, but the YMCA has not yet presented anything to this board so we do not have anything in front of us at this time. The YMCA may present a sketch plan in the future.

Ms. Amy Ransley said she lives in Fallsington and is here to find out what can be done about the cars from John's Driving School that drive through her neighborhood.

Throughout the past year, more and more vehicles are driving through her neighborhood and it has become a dangerous situation. This is a huge issue because the streets are small and there are no sidewalks. Many people who live there, walk their children to and from school and student drivers are on the road during that time. Fallsington has a park and families walk to the park, again with no sidewalks. There has been at least one time a student driver drove on the lawn in front of her home. They did call the driving school to ask if they could use alternate roads but they did not get anywhere. On a Monday between 3:30 and 4:30 p.m., she saw nine cars drive past her house and cars sometimes pass her house up to 40 times in one day. She hopes they can get some kind of resolution with this problem.

Ms. Caitlin Martin (Fallsington) said she has had similar issues with the driving school. In the past year she has noticed a lot more traffic in the neighborhood. She sometimes has her driveway blocked. She walks her dogs in the street since they do not have sidewalks. Ms. Martin wishes there were a way to limit the amount of vehicles that pass by.

Mr. Dan Kearney (Yardley Avenue) said he purchased his house about four years ago. His quality of life has been heavily impacted by John's Driving School. There have been several instances of near accidents and drivers not letting him back out of his driveway. They have 200+ cars per day pass by his house. Mr. Kearney has two children walking to and from school and student drivers pass by during the time school starts and when school ends. He has witnessed these cars anywhere from 8 a.m. to 8 p.m., even on the weekend. There are four driving schools running out of John's and he and his neighbors are being flooded by his high-impact business. He doesn't feel it is safe for his kids to play in their own front yard. It is all day long and it is out of control. Chairman Harvie said one answer he can say, without having spoken to the driving school owner, is that these are public roads and public roads are allowed to be used by the public. It is not a high-impact business; it does not fit that definition. We want business owners to work with our communities and we will see if there is some kind of compromise that can be made. At times, when kids are going to or leaving school is certainly a reasonable request. Thank you for airing your concerns and we will look into this further and see if we can find some kind of resolution.

Mrs. Donna Lere said she saw Angie Winberg's article in the newspaper about her dog being attacked. A couple of years ago, Mrs. Lere saw a dog escape, grab her Chihuahua and try to eat it. The dog also bit her husband. Mrs. Lere said she has been a member of the community for a long time and has seen Falls Township grow. The dog community has taken a huge leap. The owners were taken to court and lost, then taken to a higher court and lost again. A few months later the dog was put down. Mrs. Lere also spoke of some other dog attacks. She said people are not heeding warnings. When you have an aggressive dog, you have to be aware of that and she thinks Falls Township is letting that go. We are setting

ourselves up for incidents like this. Falls Township needs to let its residents know that we have strict dog laws. This is not something that should be taken lightly. This is a concern and we can't turn a blind eye on this. If we don't let our residents know that this won't be tolerated, she is afraid it will continue to happen.

**ITEM # 2 BRITTON INDUSTRIES – AMENDED FINAL PLAN – 1 M-Y LANE –
TMP # 13-028-077**

Manager Gray said the applicant's proposed project is for the creation of twelve lease lots and paved driveways with twenty-four parking spaces. Representing the applicant is Mr. Tom Hecker. Mr. Hecker is joined by Mr. John Richardson from Dumack Engineering, and Mr. Dan Carr from Britton Industries. In September 2015, the board granted preliminary/final approval for Britton Industries for a plan that proposed for the creation of similar lots, but also involved a proposal for mulch. For various reasons, his client elected not to proceed with the mulching operation, but would still like to create the leased parcels that were proposed to lease. The waivers that are in the resolution are waivers that the Board of Supervisors had originally granted in September, 2015. Without any construction, they eliminated waivers relating to slopes and environmentally-sensitive property. Chairman Harvie asked if they saw the June 17, 2017 letter from the fire marshal. Mr. Hecker said they will comply with the fire marshal review letter. Member Rocco moved to approve Resolution # 17-24 for Britton Industries, amended final plan, 1 M-Y Lane, TMP # 13-028-077; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 ACCU-FIRE PROTECTION – FINAL LAND DEVELOPMENT
8 PROGRESS DRIVE – TMP # 13-047-166-009**

Manager Gray said the applicant's proposed project involves the construction of a new industrial building to supplement the existing Accu-Fire Fabrication operations, along with the associated parking, utilities, and storm water management facilities. Representing the applicant is Mr. Ed Murphy. Mr. Vince Murphy (owner of Accu-Fire) is also present. This business has been at their location for 17 years. They plan to add on a 50-sq. ft. addition on an adjacent parcel that the company is purchasing. This is a family business which started 25 years ago in Langhorne, PA. They customize pipe for fire sprinkler systems. They service the northeast corridor and they continue to grow. This new building will be more for distribution. Mr. Murphy said the plan has gone through the usual township approvals. The review letters are will comply. Member Galloway moved to approve Resolution # 17-25 for Accu-Fire Proection, final land development, 8 Progress Drive, TMP # 13-047-166-009; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE FALLS
TOWNSHIP MUNICIPAL COMPLEX**

Member Dence moved to table agenda items 4 and 5; Member Galloway seconded the motion; all board members were in favor with the exception of Member Boraski who voted no. (4-1)

ITEM # 5 CONSIDER FINANCE OPTIONS FOR THE FALLS TOWNSHIP MUNICIPAL COMPLEX

(see above)

ITEM # 6 CONSIDER PROPOSALS FROM THE BUCKS COUNTY CONSORTIUM REGARDING THE PURCHASE OF ROCK SALT FOR 2017-2018

Manager Gray said the Bucks County Consortium bid was opened by Doylestown Borough and the results were forwarded to Falls Township. Member Rocco moved to approve the proposal from the Bucks County Consortium regarding the purchase of rock salt for 2017-2018 at \$48.82 per ton delivered; Member Dence seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER ADOPTING RESOLUTION ESTABLISHING THE 2018 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE PENSION PLAN

Member Rocco moved to approve Resolution # 17-26, establishing the 2018 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$2,832,336; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDER ADOPTING RESOLUTION ESTABLISHING THE 2018 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE NON-UNIFORM PENSION PLAN

Member Rocco moved to approve Resolution # 17-27, establishing the 2018 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$126,361; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDER ADOPTING RESOLUTION ESTABLISHING THE 2018 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PUBLIC WORKS PENSION PLAN

Member Rocco moved to approve Resolution # 17-28, establishing the 2018 Minimum Municipal Obligation (MMO) for the Public Works Pension Plan in the amount of \$63,714; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 10 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR AUDIT OF THE 2017 FINANCIAL RECORDS

Member Galloway moved to authorize advertisement for the township's intent to appoint a firm of Certified Public Accountants to audit the township's 2017 financial records; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 11 MINUTES – AUGUST 15, 2017

Member Boraski moved to approve the minutes for August 15, 2017; Member Galloway seconded the motion; all board members were in favor with the exception of Member Rocco who abstained. (4-0-1)

ITEM # 12 ENGINEERS REPORT

Mr. Sullivan said the 2017 Road Program is moving along. The storm sewers and curbing are installed. Sidewalks are completed on one side of the street and then they will start the other side. Once that is done, they will start the road reconstruction. They should be done before the end of October, at which time the landscapers will take over. The landscapers, Bustleton Services, will come back to Howley Drive to remove all unwanted vegetation, rototill any areas that are bare, and then reseed and water. We still have their bonds. For both the fishing pier and pedestrian bridge, the notice of intent to award has been issued. They are both currently in the responsible contractor review period. We will soon have a schedule as to when those projects can be started. It will take about six weeks to complete the bridge. Member Galloway said it will be great to see the Vermilion Hills bridge get taken care of. Member Rocco asked about the Burger King project getting done so quickly. Mr. Sullivan said they did a very nice job and will continue to check it. Member Dence moved to approve the August Engineers Report dated September 14, 2017; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 13 BILL LIST

Member Galloway moved to approve the September 19, 2017 bill list in the amount of \$1,980,734.97; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 14 EXECUTIVE SESSION

The board had an Executive Session prior to tonight's meeting. Mr. Clarke said they discussed personnel matters and matters of litigation. The board met with consultants from Kimmel Bogrette, T&M Engineers and Concord Public Finance to hear presentations from those three entities.

ITEM # 15 POLICE CHIEF'S REPORT

Lt. Ward provided the following information:

- Officer Blickley should be on the street within the next two weeks.
- The next Coffee with a Cop will be held on Monday, October 2nd at 9 a.m. at the Falls Township Senior Center.
- The next Falls Township Citizens Police Academy just started. They have twelve participants in this session.

- We continue to address traffic concerns on South Olds Boulevard. If any residents have problems with traffic, please contact the township.
- The D.A.R.E. program has started. Officer Yeager is heading the program this year.
- We will continue the Chief for a Day program with the elementary school students.
- We are looking into upgrades for our rapid recovery program. We equip anyone with special needs or people with dementia or alzheimers with a bracelet and if they go missing, we can track them down. We are looking to speak with vendors to upgrade our system.
- Officer Metterle's recovery is ongoing. She is still progressing with her treatment.
- Lt. Arie has spoken with our insurance company about replacing one of the police vehicles. The cost from New Holland Auto Group is \$31,351.03, minus the \$28,918.39 Travelers insurance payment, for the net total of \$2,432.64. Member Rocco moved to approve the purchase of a new police car from New Holland Auto Group in the net cost amount of \$2,432.64, pending Costars review; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 16 MANAGER COMMENT

- A. Member Galloway moved to approve the purchase of a new Ford Expedition for the fire marshal's office, from New Holland Auto Group in the amount of \$44,189.90; Member Boraski seconded the motion; all board members were in favor. (5-0) (This replaces a 2006 Ford Expedition.)
- B. Member Galloway moved to approve escrow release # 11 for Morrisville Commons in the amount of \$16,236.45; Member Boraski seconded the motion; all board members were in favor. (5-0)
- C. Member Rocco moved to ratify the purchase of 15 bare-root trees at the cost of \$50 each for the total price of \$750; Member Galloway seconded the motion; all board members were in favor. (5-0)
- D. Member Rocco moved to approve the donation of a used Toro tractor to the Pennsbury School District; Member Galloway seconded the motion; all board members were in favor. (5-0)
- E. The 2017 Bulk Disposal Day will be held on October 14th, from 7 – 11 a.m. the location is at the G.R.O.W.S. landfill, behind the Waste Management Turkey Hill building. This is for Falls Township and Tullytown Borough residents; not for contractors. For information, please call 1-800-869-5566.
- F. Manager Gray announced new township businesses. They are: Shelmet Plumbing and PA Cars & Trucks, Inc.
- G. Drive-Time mylars are ready for signature.

ITEM # 17 BOARD COMMENT

Member Rocco – no comment.

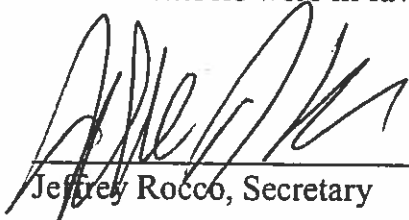
Member Dence said Mr. Kenney was a regular at these meetings and he will be greatly missed.

Member Boraski – no comment.

Member Galloway echoes comments about Mr. Kenney. He said he was quite a man.

Chairman Harvie said earlier this year, the Federal government stripped away some rights in regard to cable privacy. Lower Makefield circulated a draft saying that any cable provider would have to ask residents first if it is okay if they give out their information. Our staff put together a draft of that ordinance to look at during a future meeting. Member Boraski moved to authorize advertisement of the cable ordinance; Member Galloway seconded the motion; all board members were in favor. (5-0) Chairman Harvie announced two events scheduled for Saturday, October 14th. They are Historic Fallsington Day and the Jerry Blavat dance being held at the Levittown Fire Co. No. 1. Chairman Harvie said Rosh Hashanah and Yom Kippur are coming up. He wishes a Happy New Year and blessed holiday to our township residents. Chairman Harvie said the opioid epidemic has been claiming life after life. The PA Attorney General is investigating to see if it is possible for the state to sue pharmaceutical manufacturers for misleading medical professionals as well as the public about how addictive these medications are. The state of Ohio has already launched a lawsuit and other states are looking into it in light of the fact that the current draft in the U.S. Senate about replacing Obama Care would strip away a mandate that all health insurance cover substance abuse as well as mental health. A replacement would not cover those things. A step the board might be able to take is a resolution or letter to the Attorney General asking him to expedite his investigation whether or not we should be suing as a Commonwealth and Chairman Harvie said he would be happy to draft a letter. Board members agreed. Chairman Harvie thanked the public for their participation this evening.

Member Boraski moved to adjourn the meeting; Member Galloway seconded the motion all board members were in favor. (5-0) The meeting was adjourned at 8:30 p.m.



Jeffrey Rocco, Secretary