

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 6:30 p.m. with roll call and pledge to the flag. All Board members were present. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Michael Clarke, and Township Engineer Joe Jones.

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

Mr. Elton Ebersole said he lives on Edgemont Road in Fairless Hills. He asked about the proposed SIV Ambulance repair shop and sales facility that is being proposed at the corner of North Olds Boulevard and U.S. Route 1. The neighbors are very concerned about the close proximity to the homes on Edgemont Road, the size and height of the building, lighting and the excessive noise including the sirens when being tested. They are also concerned about vandalism and crime. There is a big problem with drainage at that corner. After a heavy rain, there is always a pond about 30 sq. yards. And it is often used as a skating rink in the wintertime. Mr. Ebersole said there is a great concern about depreciation of their homes as well. They understand this is in the proposed stage but there are surveyor stakes in the area. They hope this is not a done deal. Chairman Dence said they got a zoning variance for their setbacks, but they have not proposed anything to the township. This is an idea. Nothing has been presented to us or approved as of this time. As they move forward, you would see it advertised before anything is decided. They currently have a business in Middletown and possibly building there.

Ms. Toni Battiste asked about agenda item # 10 and if it is to repeal the Ordinance the Board adopted last month and if it is being put back to what it was and what is the amendment? Chairman Dence said yes. Mr. Clarke said the original Ordinance set a deadline for November 30th and since we are getting started a little later, we have amended the Ordinance to set the deadline to accept applications to December 30th. Ms. Battiste asked if they are putting it back to the Ordinance from 2007. Chairman Dence said yes. Ms. Battiste asked what is going into the old Fairless Hills Medical Building on South Olds Boulevard next to the County property. Chairman Dence said he is not sure.

**ITEM # 2 NP FALLS TOWNSHIP INDUSTRIAL, LLC – MINOR SUBDIVISION
300 RIVER ROAD – TMP # 13-051-001, 13-051-001-016, 13-051-001-017
AND 13-051-001-023**

Mr. Mike Meginniss (Begley Carlin), Mr. Greg Glitzer (Gilmore and Associates), and Mr. Jeremy Michael (NorthPoint Project Manager) were present this evening. This is a Resolution approving the subdivision of 63.5 acres of land to be subdivided from the main parcel. Mr. Michael said they purchased the Gamesa property which is 90 acres. As part of that transaction, they are selling a strip of that on the west border of the property. The current application is for the subdivision and to sell that property. Mr. Meginniss said this is to transition them into phase 2 of their development. Mr. Jones said the waivers are from the requirement that all natural resources be identified and a parcel waiver from 191-79C3 - requirement that they show land development along with subdivision. We have no objections to these waivers. Member Palmer asked about the sidewalks. Mr. Jones said they will work with the applicant to make sure the sidewalks get placed on the most logical side of the street. Mr. Meginniss said the Resolution has been reviewed and we have consented to all of the conditions and comments as set forth in the proposed Resolution. Mr. Jones was satisfied with this plan. Member Galloway moved to approve Resolution # 2021-36 for NP Falls Township Industrial, LLC – Minor Subdivision – 300 River Road – TMP # 13-051-001, 13-051-001-016, 13-051-001-017 and 13-051-001-023; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 3 CONSIDER ADOPTING RESOLUTION ESTABLISHING REVISED
2022 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE
POLICE PENSION PLAN**

Mrs. Betsey Reukauf said this is a revision to the MMO that was presented to the Board in September. The previous MMO was based on the 2019 valuation. The 2021 valuation was not yet completed. It was prepared based on the old valuation. It has been increased by \$378,346. Member Galloway moved to approve Resolution # 2021-37 Establishing Revised 2022 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$3,526,280; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 2022 PROPOSED BUDGET PRESENTATION AND
AUTHORIZATION TO ADVERTISE**

Mrs. Betsy Reukauf presented details for the proposed 2022 budget. The tax millage rate remains the same at 7.22 mils. Falls Township taxes continue to be lower than our surrounding municipalities. Proposed 2022 Capital Projects include: the 2022 Road Program (\$2,000,000); Intersection Improvements (\$61,073); Adaptive Traffic Signals (\$160,000); Tree Trimming and Removal (\$50,000); Police Purchases (\$470,000); Public Works Purchases (\$720,000); and the Elderberry Park Playground Equipment (\$150,000). Based on the proposed 2022 Budget, a total of \$38,528,739 is projected to be spent in the year 2022. The budget is proposed to be advertised starting November 21st and adopted at the December 20, 2021 Board of Supervisors meeting. Member Galloway moved to

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authorize advertisement of the 2022 Proposed Budget; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER APPOINTMENT BY RESOLUTION TO APPOINT AUDITOR FOR THE 2021 FINANCIAL AUDIT

Mrs. Betsey Reukauf said the township solicited proposals from six CPA firms for the township's 2021 financial records. Upon review and reference checks, it is recommended to appoint Zelenkofske Axelrod LLC for the audit of the township's financial records for the period of January 1, 2021 to December 31, 2021 and include the option to re-appoint them for the audit of the 2022 and 2023 fiscal years. Member Mullen asked if it is typical to do the option for the additional years. Mrs. Reukauf said we have been doing that for the several past request for proposals. It is nice to have some continuity. It makes the audit go somewhat easier because they are familiar with our records. Member Palmer likes the fact that we switch it up every couple of years; he is in favor of this. Member Galloway moved to approve Resolution # 2021-38 to appoint Zelenkofske Axelrod LLC as the auditor for the 2021 Financial Audit; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER RESOLUTION TO ENTER INTO A TRAFFIC SAFETY MAINTENANCE AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

Mr. Derrick Kennedy from Remington Vernick said this is streamlining the process instead of having separate agreements for every traffic device. This is a policy change they are making to change the state-wide individual signal operation agreements to a global maintenance agreement that would cover the whole township. Member Palmer asked Mr. Clarke if there was something in the contract that PennDOT be held harmless. Mr. Clarke said that is pretty standard and trying to get hold harmless agreements taken out of PennDOT agreements is impossible. It is basically the same we have had previously. Member Galloway moved to approve Resolution # 2021-39 to enter into a Traffic Study Maintenance Agreement with the Pennsylvania Department of Transportation; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER MEMORANDUM OF UNDERSTANDING BETWEEN FALLS TOWNSHIP POLICE DEPARTMENT AND THE COUNTY OF BUCKS HUMAN SERVICES DIVISION FOR THE HUMAN SERVICES CO-RESPONDER INITIATIVE WITH AUTHORIZATION FROM CHIEF NELSON WHITNEY

Chief Whitney said this is the Co-Responder Program we have been discussing. The Co-Responders will be shared by the Falls Township and Middletown Township. One will be located here and one at their headquarters. The only cost to us is giving them a car to use while they are working. These Co-Responders will be doing follow-ups and at times responding to calls for service involving a mental health component or domestic violence.

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Chief Whitney said this is a great idea and a good model. There is a need for it in our community. Member Galloway moved to approve the Memorandum of Understanding between Falls Township Police Department and the County of Bucks Human Services Division for the Human Services Co-Responder Initiative with Authorization from Chief Nelson Whitney; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 8 CONSIDER RESOLUTION FOR THE SALE OF TOWNSHIP SURPLUS VEHICLES

Member Boraski moved to approve Resolution # 2021-40 for the Sale of Township Surplus Vehicles; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 9 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 169 – PAWNBROKERS AND DEALERS IN PRECIOUS METALS AND SECONDHAND GOODS

Chief Whitney said this allows us to use our existing ordinance to require businesses in Falls Township who accept precious metals to have the same requirements for reporting information and identifying individuals as the pawn shops that are located in our township. The idea is to help us with these ongoing catalytic converter thefts. Chairman Dence said the catalytic converters have these precious metals and it is a huge problem. This will require any business that accepts goods to notify the police and wait a certain number of days before they list it for sale. Member Galloway moved to approve Ordinance # 2021-15 Amending Chapter 169 – Pawnbrokers and Dealers in Precious Metals and Secondhand Goods; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 10 CONSIDERATION OF AUTHORIZATION TO ADVERTISE REPEALING ORDINANCE # 2021-13 AND REINSTATING ORDINANCE # 2007-3 WRECKERS AS AMENDED

Chairman Dence said at the last meeting we adopted an Ordinance to do away with the duty tow list and go with one tower. There were a lot of flaws with the Ordinance, so they are going back to the previous Ordinance. We have the same list as we have now and then the new list will kick in this coming February 1st. The deadline to submit applications will be December 30th. Throughout the month of January, Lt. Ward will check information and the new list will be sent to County Dispatch on February 1, 2022. Member Boraski asked about mailing out applications and what will happen to the current duty tow list. Mr. Clarke said this is a motion to advertise. The applications will be mailed out to the current duty towers in the next couple of days and the advertisement will be placed in the newspaper by the end of the week. Member Boraski moved to authorize advertisement Repealing Ordinance # 2021-13 and Reinstating Ordinance # 2007-3 Wreckers as Amended; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 11 CONSIDERATION OF AUTHORIZATION TO ADVERTISE ORDINANCE AMENDING CHAPTER 180 – RECYCLING – TO PROHIBIT THE BURNING OF RECYCLABLE MATERIAL

Mr. Clarke said as part of our recycling grant program, DEP is requiring that we adopt an Ordinance prohibiting the burning of recyclable materials. They do not want unregulated entities or individuals burning plastic or other recyclable materials. The Ordinance we drafted had to be mindful of the fact that we have Wheelabrator located within our township so the Ordinance was crafted so that Wheelabrator, who is licensed and regulated by the DEP, is not affected by this Ordinance but it will cover what DEP is asking us to adopt. Member Mullen moved to authorize advertisement of Ordinance Amending Chapter 180 – Recycling – to Prohibit the Burning of Recyclable Material; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 12 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PROVISIONS OF CLEANING SERVICES FOR FALLS TOWNSHIP

Mr. Jason Lawson this is for advertising for cleaning of the municipal building and the park bathrooms when open in the summer. We did a one-year contract to see how it would go and it went pretty well. The only thing he would suggest is to do option years. If the services are good, we will keep them. If the services are not good, we can go back out to bid. Mr. Clarke said you can award the contract for a one-year, two-year, or three-year option. It is at the selection by the township and they have to hold their price for those years. Member Boraski said the option for a three-year contract seems to be fine. Member Galloway moved to authorize advertisement for Provisions of Cleaning Services for Falls Township asking for a price for one year, a price for the second year, and a price for the third year; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 13 MINUTES – OCTOBER 18, 2021

Member Galloway moved to approve the minutes from October 18, 2021; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 14 ENGINEERS REPORT

Mr. Jones said for the month of October, there were three new land developments submitted, four new earth disturbances submitted, one flood plain permit submitted, and one new cell tower application submitted. The WAWA is nearing the start of construction. The TAVO Packaging project is under way and moving smoothly. The Levittown Car Wash is in the final stages of land development and nearing construction. The Grand Party Affairs Rental will be before the board in December for approval of waiver of land development. Our review was issued for the Stalwart Morrisville sub-division project. We expect a land development submission on the B&J Group warehouse. We spoke tonight about the subdivision for NorthPoint. We are working with the applicant on the mylars for recording. The NorthPoint phase 2, buildings 4, 5, and 6 are scheduled for the Planning Commission

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next week. In terms of township projects, for the 2021-2022 Road Program, we are working on Elderberry Drive. The Pinewood Drive design plan specification is on target to seek authorization to advertise for an early spring construction. Member Palmer asked for an update in regard to the WAWA project. Mr. Jones said the project was approved and we issued our escrow letter. That is incorporated into the land development agreement and our attorneys are working on it. We have the mylars in our office, so we went through our technical review on the final approval and conditions of approval. He was told by the applicant's engineer that they were surprised by the request from DEP to do a sanitary sewer planning module. This is a technical snafu that will take about a month to resolve. Member Galloway moved to approve the Engineers Report; Member Mullen seconded the motion; all board members were in favor. (5-0)

ITEM # 15 BILL LIST

Member Galloway moved to approve the bill list for November 15, 2021 in the amount of \$2,649,613.91; Member Boraski seconded the motion; all board members were in favor. (5-0)

ITEM # 16 EXECUTIVE SESSION

Mr. Clarke said the Board held an Executive Session on November 9, 2021 to discuss personnel matters and potential litigation.

ITEM # 17 POLICE DEPARTMENT REPORT

Chief Whitney provided the following updates taken from his report.

- A. There were 1,790 calls for service in the month of October, bringing us to 17,022 year to date. Four of these were overdoses, which brings us to 66 year to date. There were 120 crashes which brought us to 951 year to date.
- B. On November 7th there was a serious crash at Tyburn Road and New Falls Road. One of the drivers was ejected from the vehicles and is in critical condition.
- C. On October 31st we assisted Tullytown Police Department on a pursuit which led to a foot chase of a robbery suspect. That subject was apprehended.
- D. On October 26th, we had a traffic pursuit on U.S. Rt 1 northbound with a white Mercedes. The white Mercedes fled into New Jersey, and we terminated the pursuit.
- E. For mental health calls, in 2019 we had 239 calls, in 2020 we had 245 calls, and year to date for 2021 we have 249 calls. For domestic type of calls, in 2019 we had 627 calls, in 2020 we had 683 calls, and year to date for 2021 we have had 577 calls.
- F. On a training note, we conducted training on the use of lethal weapons and have sent two of our officers to become instructors for de-escalation techniques so we can conduct that training in house.

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ITEM # 18 MANAGER COMMENT

- A. Saturday, November 20th is the last day for the Falls Township Leaf Collection. Chairman Dence said since the leaves are falling later this year, there may possibly be one or two more pick up dates.

ITEM # 29 BOARD COMMENT

Member Boraski congratulated board members on their new term. To Manager Takita, can we get an update on the property on Trenton Road and Tyburn Road. Can they use any of that property for storage? Manager Takita said for the property to be used for storage, we would need a variance from the Zoning Hearing Board. There are property maintenance violations that we are pursuing right now.


Member Mullen also said congratulations on your re-election. She wanted to give an extra thank you to Chief Whitney and everyone who worked on the Co-Responder Program. Happy Thanksgiving to everyone.

Member Palmer asked Chief Whitney about Hill Lane. We have had a lot of calls for those two houses. Since they put up that new fence, have there been any calls out there? Chief Whitney said it is a combination of the fence and the fact that the property is being sold. Member Palmer said he went by the other day and it looks great. Member Boraski asked Chief Whitney if he had a comment on the Lincoln Highway Sunoco and it being robbed several times the last six weeks. Chief Whitney may not be using the term robbery like we do and we have had no robberies during the past six weeks.

Member Galloway said congratulations to you and Member Palmer.

Chairman Dence thanked everyone who came out and voted and put your confidence in him and Member Palmer. Chairman Dence wished everyone a very Happy Thanksgiving.

Member Galloway moved to adjourn the meeting; Member Boraski seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 7:36 p.m.



Brian Galloway, Secretary