

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:00 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Chairman Dence who was on vacation. Also present were Township Manager/Chief Code Enforcement Officer & Zoning Officer Matthew Takita, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones.

**PRESENTATION OF DONATION TO THE BARKANN HEALING HEARTS
FOUNDATION FROM PROCEEDS RAISED FROM THE TOUCH A TRUCK
EVENT**

The 6th Annual Touch A Truck event was held on Saturday, September 9, 2023. Mr. Brian Andrews said they are proud to donate the proceeds from this event in the amount of \$26,850 to the Barkann Healing Hearts Foundation. Mr. Mike Barnes from the Barkann Healing Hearts Foundation said Falls Township is a big part of their family and this donation is a true example of when a community comes together. Their charity helps families who are destitute and who need immediate financial assistance. This donation will provide quite a bit of support to local families in need. Mr. Barnes was very thankful for this donation. Member Boraski said this event is a ten-month planning process and thanked all those involved.

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

Ms. Toni Battiste has a few concerns about the direction of the township. She is concerned about the ongoing investigation of the township, legal issues that are not being publicized, police issues that may have a financial impact on the township and the illegal hiring which is on tonight's agenda. Why are these things all happening? Is our insurance paying for this and if not, are the taxpayers paying? Will we be held liable? She would like to see both illegal contracts rescinded. Ms. Battiste thinks there should be more transparency with this hiring. She would like to see what work was done, when it was billed, and when was this work performed. The individual is working another full-time job which is a voted job. She thinks this is unethical. As a taxpayer, she is concerned about him doing both jobs at the same time. Ms. Battiste reported a dead tree on Business Rt. 1 North, near the KFC. A lot of branches are hanging over the road. She does not want to see the township held liable if the tree or branches fall and causes major issues.

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Mr. Robert Bray, Jr. said he is a life-long Falls Township resident and spent 31 years on the Falls Township Police Department. He retired 12 years ago. He took a vow to himself that if the police department runs into any type of problem, there is a good chance he will run as supervisor.

Member Galloway moved to close public comment; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 2 MOTION TO RATIFY THE HIRING OF DANIEL DOYLE AS DIRECTOR OF EMPLOYEE OPERATIONS AND CHIEF HUMAN RESOURCES OFFICER, EFFECTIVE SEPTEMBER 18, 2023

Ms. Toni Battiste wanted to know if this job was publicized anywhere. Member Boraski said it was not publicized. Ms. Battiste asked what the job entails. Ms. Gallagher said the job description is being finalized with the Manager's Office but it will be available in the next couple of days. The position is the Director of Employee Operations and Chief Human Resources Officer and everything that goes along with managing a Human Resources Department. Ms. Battiste asked why we need this. Ms. Gallagher said it was the Board's decision to create this position and retain this individual. Ms. Battiste asked if this decision was made without public knowledge. It would be nice if the public knew because we are going to have to pay for these positions. Ms. Battiste said somewhere along the line, this was not done under the Sunshine Law. Mr. Clarke said it is about to be. Ms. Battiste said it is about to be and was done prior to the public knowing about it. Mr. Clarke said there is no violation of the Sunshine Act. This is a personnel matter. Everything was permitted to be discussed in Executive Session to make the decision because the hiring needed to occur prior to a board meeting. The hiring and start date was made last week. The board will vote on it tonight and ratify the hiring. Ms. Battiste said she will be checking on this with Harrisburg. Mr. Clarke said he can provide the case site for Ms. Battiste. Ms. Donna Abrescia said Mr. Doyle was the Police Chief in Tullytown and now he is going to be the HR Director for Falls Township. Ms. Abrescia asked what background he has and what experience does he have to be in Human Resources for the township. Member Boraski said there are things going on in the township right now. Mr. Doyle will be working with and assisting Manager Takita with Human Resource across the township. Ms. Abrescia asked if it were Police Department issues. Member Boraski said it is personnel matters. Member Galloway moved to ratify the hiring of Daniel Doyle as Director of Employee Operations and Chief Human Resources Officer, effective September 18, 2023; Member Mullen seconded the motion; all board members were in favor. (4-0)
(Member Galloway was not on Zoom for the remainder of the meeting.)

**ITEM # 3 CERTIFICATE OF APPROPRIATENESS – 63 W. TYBURN ROAD
TMP # 13-024-022 – NEW SHINGLED ROOF**

Member Mullen moved to approve the Certificate of Appropriateness, 63 W. Tyburn Road, TMP # 13-024-022 for a new shingled roof; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 4 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2024
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE
PENSION PLAN**

Mrs. Betsey Reukauf provided a introduction for the MMO. Member Mullen moved to approve Resolution # 2023-31, establishing the 2024 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$3,315,577; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 5 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2024
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE NON-
UNIFORM PENSION PLAN**

Member Mullen moved to approve Resolution # 2023-32, establishing the 2024 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$7,811; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 6 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2024
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PMRS
PENSION PLAN**

Member Mullen moved to approve Resolution # 2023-33, establishing the 2024 Minimum Municipal Obligation (MMO) for the PMRS Pension Plan in the amount of \$199,210; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 7 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR AUDIT
OF THE 2023 FINANCIAL RECORDS**

Member Mullen moved to authorize advertisement for audit of the 2023 financial records; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 8 CONSIDERATION OF RESOLUTION AUTHORIZING
EXEMPTIONS, DEDUCTIONS, ABATEMENTS AND CREDITS FOR
REAL PROPERTY AND OTHER TAXES WITHIN A SPECIFIC
GEOGRAPHIC AREA DESIGNATED AS A KEYSTONE
OPPORTUNITY IMPROVEMENT ZONE (“KOIZ”), IN ORDER TO
FOSTER ECONOMIC OPPORTUNITIES, STIMULATE
INDUSTRIAL, COMMERCIAL, AND RESIDENTIAL
IMPROVEMENTS AND PREVENT PHYSICAL AND
INFRASTRUCTURE DETERIORATION WITHIN AREAS OF FALLS
TOWNSHIP, WITHIN THE COUNTY OF BUCKS IN THE
COMMONWEALTH OF PENNSYLVANIA, UPON CERTAIN TERMS
AND CONDITIONS**

Mr. Mike Meginniss (Begley Carlin) said this is not a new KOZ. NorthPoint completed a land swap about 18 years ago and we are attempting to clean up the KOZ boundaries. Because of transactions that NorthPoint was engaged in, we are attempting to remove about seven acres of land that would get put back on the taxing records and then clean up the boundaries so the NorthPoint land receives the KOZ benefits and the land that has been swapped out to MMA and Waste Management is removed from the KOZ and put back on the tax rolls. Member Palmer asked about when NorthPoint wanted to move one of the operations outside the gate in Morrisville. It looks like you are moving the KOZ area to that location; it looks like the credit union. Is that part of the deal? Mr. Meginniss said the KOZ boundary that we are looking at is comprised of land over which buildings 4, 5 and 6 are situated. There were options that were in existence for the Gamesa property. NorthPoint entered into an agreement with Waste Management. The land which was supplied to Waste Management will no longer be receiving the KOZ benefits. The land that NorthPoint received, as a result of the purchase of that option with the Gamesa piece, will be then receiving the KOZ benefits in addition to the MMA parcel which NorthPoint sold to MMA and gets removed from the books as well. Member Mullen asked if this is a true substitution; is it a match? Mr. Meginniss said they are reducing the boundary by a little over seven acres. He said what would happen is that Falls Township passes their Resolution, the County will pass their Resolution and then Pennsbury will pass their Resolution. None of these go into effect until the State passes legislation which has been drafted and is pending. Member Mullen moved to approve Resolution # 2023-34, authorizing Exemptions, Deductions, Abatements and Credits for Real Property and Other Taxes Within a Specific Geographic Area Designated as a Keystone Opportunity Improvement Zone (“KOIZ”), in order to Foster Economic Opportunities, Stimulate Industrial, Commercial, and Residential Improvements and Prevent Physical and Infrastructure Deterioration Within Areas of Falls Township, Within the County of Bucks in the Commonwealth of Pennsylvania, Upon Certain Terms and Conditions; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 9 AUTHORIZATION TO ADVERTISE VOLUNTEER SERVICE
CREDIT PROGRAM ORDINANCE**

Ms. Gallagher said this Ordinance would create a Volunteer Service Credit Program where active volunteers for the three township fire companies would qualify for a credit against the township’s portion of the EIT that was enacted earlier this year. It would allow volunteers to get a credit and encourage service. Member Boraski said this is another step in support of the volunteer fire service. Member Palmer asked if we had any idea of the number for this credit. Ms. Gallagher said she would have to check with Mrs. Reukauf. Member Mullen moved to authorize advertisement of the Volunteer Service Credit Program Ordinance; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 10 AUTHORIZATION TO ADVERTISE ORDINANCE ADDING
CHAPTER 42 – POLICE HIRING ADVISORY BOARD**

Manager Takita said during the last round of hiring in the police department, we had created a separate interview board, in addition to the regular hiring boards that were placed. This Ordinance is an effort to consolidate that board, to eliminate a step, reduce some confusion regarding the advertising of this Ordinance and the Ordinance itself. Manager Takita asked if we could table this until further notice. Member Boraski asked to include the township and police department in talks going forward so we'll have a better understanding when this comes back to the board. Member Mullen moved to table this agenda item for the authorization to advertise Ordinance adding Chapter 42 – Police Hiring Advisory Board; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 11 CONSIDER PROPOSAL FROM REMINGTON & VERNICK
ENGINEERS FOR TRAFFIC ENGINEERING SERVICES FOR
TRENTON ROAD AND N. OLDS BOULEVARD**

Mr. Derrick Kennedy (Remington & Vernick Engineers) said this project is the result of a PennDOT Green Light-Go Program grant and is an approximate \$300K project to rebuild the existing intersection at Trenton Road and N. Olds Boulevard and will include full signal rebuild, ADA ramps, sidewalk and crosswalk upgrades. Member Mullen moved to accept the proposal from Remington & Vernick Engineers for traffic engineering services for Trenton Road and N. Olds Boulevard; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 12 CONSIDER PROPOSAL FROM REMINGTON & VERNICK
ENGINEERS FOR TRAFFIC ENGINEERING SERVICES FOR THE
ARLE GRANT FOR INTERSECTION SAFETY IMPROVEMENTS**

Mr. Derrick Kennedy said this is an ARLE Grant, funded by PennDOT, for seven various existing signalized intersections throughout the township and will be upgraded to include pedestrian signal heads, push buttons, ADA ramps and crosswalk improvements. Member Mullen asked about the total grant allocation and the project completion date. Mr. Kennedy said it is \$756K and there is no match. This is a 13-month schedule for design and construction. Member Mullen moved to accept the proposal from Remington & Vernick Engineers for Traffic Engineering Services for the ARLE Grant for intersection safety improvements; Member Palmer seconded the motion; all board members were in favor. (3-0)

**ITEM # 13 CONSIDER STIPULATION TO SETTLE IN APPEAL OF
MORRISVILLE REALTY, LLC, TMP # 13-028-028-002, DOCKET #
2022-06472**

Mr. Clarke said an appeal has been negotiated by the Pennsbury School District involving a property located at 547 West Trenton Avenue and will increase the taxes on the property

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from \$263,480 to 423,400 referencing a fair-market value of the property of \$5,800,000 for 2023. This will be an increase in the assessment of \$159,920 and will remain in effect until a subsequent appeal is filed and this will be effective for township taxes January 1, 2023. Member Palmer moved to approve the Stipulation to settle in appeal of Morrisville Realty, LLC, TMP # 13-028-028-002, Docket # 2022-06472; Member Mullen seconded the motion; all board members were in favor. (3-0)

ITEM # 14 CONSIDER RATIFYING CONTRACT WITH GEYER AUCTION COMPANIES

Manager Takita said Geyer Auction has auctioned off all of the assets that were in the old township building that would have otherwise been disposed of in the demolition. This includes toilet partitions, toilets, etc. and they auctioned off those items. Everything that was auctioned off is the contract. Due to the short timeframe, the contract was approved by Manager Takita and he is requesting the board to ratify the contract this evening. As of today, the building has been turned over to the General Contractor. The total amount that was auctioned off is \$34,554. Member Mullen moved to ratify the contract with Geyer Auction Companies; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 15 CONSIDER BIDS FOR SALE OF TOWNSHIP SURPLUS VEHICLES

Mr. Jason Lawson is asking the board to accept the bid for surplus vehicles that were sold. The total amount we will receive is \$14,050. He is also asking the board to approve scrapping of the old Arrowboard which did not sell. This has been out to bid four times with no success. This was done through Municibid. Member Palmer moved to approve the bids for sale of township surplus vehicles and in addition having Public Works scrap an Arrowboard; Member Mullen seconded the motion; all board members were in favor. (3-0)

ITEM # 16 CONSIDER ESCROW RELEASE REQUESTS

Member Mullen moved to approve the escrow release to Morrisville Commons, located at 550 West Trenton Avenue and in the amount of \$7,276.28; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 17 APPOINTMENTS TO VARIOUS BOARDS, COUNCILS, COMMITTEES AND COMMISSIONS

Member Boraski wanted to acknowledge Mr. Doug Molle who was on the Zoning Hearing Board for a long time. He just recently resigned. Member Boraski thanked him for his time on the Zoning Hearing Board. Member Mullen moved to approve Resolution # 2023-35 to appoint Nastasha Raisley (an alternate) to a member of the Zoning Hearing Board to fulfill the term vacated by Mr. Molle; Member Boraski seconded the motion; all board members were in favor. (3-0) Member Mullen moved to appoint Seema Kazmi to a position on the

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Disabled Persons Advisory Board; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 18 MINUTES – AUGUST 28, 2023

Member Palmer moved to approve the minutes from August 28, 2023; Member Mullen seconded the motion; all board members were in favor. (3-0)

ITEM # 19 ENGINEERS REPORT

Mr. Jones said for the month of August, there was one new land development submitted and five earth disturbances, four of which are residential. One was industrial. Mr. Jones provided highlights of the report. Phase 2 NorthPoint, building 6 is continuing work as well as Hiossen and Waste Management Renewable Natural Gas. The Pennsbury School District is nearing completion but still working on the turf field and drainage improvements. Gelest Phase 3 erosion controls have been installed and the project has commenced. Covanta Phase 3 is operating under a TCO and nearing completion. This included interior renovations and parking modifications. The Murphy pool is complete as is the McDonald's drive through. The Restoration Church parking lot is nearing completion. Pennsbury School District playground area is complete at Eleanor Roosevelt. The Darr residence was a building addition which was approved. The NorthPoint Falls Industrial is a stone laydown area for Kinder Morgan and that is under review. For the three residential earth disturbances, permits were issued. The following are updates for the township projects. Pinewood is nearing completion. Landscaping continues as well as the last portion of the mill and overlay. Mr. Jones expects it to be under wearing course before the next board meeting. The footbridge is out to bid. We expect to open bids and have an evaluation for the next board meeting. For the Woolston Drive project will be completed before the next board meeting. For the Fallsington retaining walls and the drainage, we will have a report for you by the next board meeting; hopefully it will be completed. Member Boraski spoke about a sign one of the residents had displayed. Mr. Jones said we have the solution and that solution will be given to the contractor and it will absolutely be taken care of prior to any freezing. Member Boraski asked Mr. Jones to have the inspector who handled his development stop out there and speak with the homeowner. Mr. Jones said yes. Member Mullen moved to accept the Engineers report; Member Palmer seconded the motion; all board members were in favor. (3-0)

ITEM # 20 BILL LIST

Member Palmer moved to approve the bill list in the amount of \$2,319,061.53; Member Mullen seconded the motion; all board members were in favor. (3-0)

ITEM # 21 ENGINEERING BILL LIST

Member Palmer moved to approve the Engineering bill list in the amount of \$319,997.65; Member Mullen seconded the motion; all board members were in favor. (3-0)

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ITEM # 22 EXECUTIVE SESSION

Mr. Clarke said the board held an Executive Session prior to this meeting to discuss various personnel matters.

ITEM # 23 POLICE DEPARTMENT REPORT

Chief Nelson Whitney was not able to attend tonight's meeting.

ITEM # 24 MANAGER COMMENT

The Police Department is holding a National Drug Take Back Day on Saturday, October 28th from 10 a.m. to 2 p.m. at Pennsbury High School. There will also be a shredder event on Saturday, October 28th from 9:00 a.m. until 1:00 p.m. or until the truck is full. Additional information for both of these events can be found on the township website or social media.


ITEM # 25 BOARD COMMENT

Member Palmer – no comment.

Member Mullen – Go Birds.

Member Boraski said he received a letter in the mail from Penn Valley Constructors. They have spent 50+ years in Falls Township and they applaud the work of our Fire Marshal's Office and Code Enforcement office and the work they do. Thank you, it is nice to hear things such as this.

Member Mullen moved to adjourn the meeting; Member Palmer seconded the motion; all board members were in favor. (3-0) The meeting was adjourned at 8:02 p.m.



Brian Galloway, Secretary