

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

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

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.

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

Mr. Bill Stephens said he is a new resident to Falls Township. He referenced the fatal accident on New Falls Road and suggested installation of solar-powered LED flashing pedestrian crossing signs to be installed at the crosswalks. Mr. Stephens also referenced another accident on that road and believes there may be enough room to add left-turn lanes. Chairman Harvie said they can certainly raise those suggestions with PennDot, as this is a state road, but he does not know how seriously they would look at this. We have been waiting for them to fix other areas in the township and it has been taking a long time to happen. Mr. Stephens asked about a lot of no-turn on red signs and mentioned Hood and Olds Boulevards. That is in a school zone. Member Dence said PennDot said they have done studies and PennDot is not budging with speed limits or other things.

Ms. Lise Baxter expressed great concern about the failing air quality in Lower Bucks County and Falls Township and would like the board to help with this problem. Ms. Baxter said our community has become home to four landfills, one of which is the largest in Pennsylvania. We have a trash incinerator, a contaminated soil burner, and numerous other polluting industries including a massive co-generation plant. There are plans for the multi-state regional Covanta ash and recycling plant and the Elcon waste facility which will include an incinerator and on-site toxic waste storage. According to the American Lung Association and the EPA, our area fails air quality standards. We have the second worse air quality in the state of Pennsylvania, after the city of Philadelphia. According to the CDC, we are also one of the only two counties in Pennsylvania with increasing childhood cancer rates. This pollution does not only affect Bucks County and Falls Township. New Jersey is across the river and downwind. If you draw a three-mile radius around this area, the population is 50% minority with 34% of the citizens living below the poverty line, according to the EPA and due to divisions by multiple census tracts. The area is not

**Board of Supervisors – September 18, 2018**

designated an environmental justice area, which would be under different regulations. We should be working to improve the current conditions and bring the air quality up to at least the minimum national clean air standards. We need to bring in green jobs and green businesses, not businesses that will add to our already severe pollution problem. Families live here, raise their kids, drink the water, and breath the air. Over 10,000 kids go to school in a four-mile area of this pollution. We are willing to help as much as we can and we would like you to take leadership with this issue. Chairman Harvie said we are conscious that Elcon is back in the news because their Phase 2 has begun. We don't know what the DEP will do. They are currently reviewing this on an environmental level and looking at the water impact, air quality impact, and looking at the flood plain issues. If it comes to us, we will have our say if it is proper to that area. As of now, we have no plans and we will see what happens with the review process.

**ITEM # 2    OUTBACK STEAKHOUSE – PRELIMINARY AND FINAL LAND DEVELOPMENT – 650 COMMERCE BLVD – TMP # 13-003-036**

Manager Gray said the applicant proposes to demolish an existing building and to construct a new 6,620 square foot building to house an Outback Steakhouse restaurant with on-site parking. The applicant is represented by Mr. Thomas Hecker. Also present is Mr. Brian Conlon with Langan Engineering Associates. Mr. Hecker reviewed the proposed plans. The items in the resolution are will comply and acceptable to the applicant. Proposed waivers deal with parking spaces, curbs, and showing features within 200 feet of the land to be developed. Construction should start by the spring of 2019 and take about five to six months to complete. The EDUs stay with the property. There will be 240 proposed seats. Member Galloway moved to approve Resolution # 18-15 for Outback Steakhouse, preliminary and final land development, 650 Commerce Boulevard, TMP # 13-003-036; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 3    PATIENT FIRST – PRELIMINARY AND FINAL LAND DEVELOPMENT – 100 LINCOLN HIGHWAY – TMP # 13-004-085**

The applicant's proposed project consists of the demolition of the existing McDonalds and gas station and construction of a 7,151 square foot building with 37 parking spaces, new storm water management facilities, and landscaping. Mr. Nick Rutkowski and Mr. Bill Rountree (developer for the project) represent the applicant. Mr. Rountree reviewed the proposed waivers which deal with curbs, parking, trees, and features to be shown within 200 feet of the land to be developed. Patient First is a 12-bed medical center. They can provide minor bloodwork, on-site x-ray service, and they have an on-site pharmacy for their patients only. They will be open 8 a.m. to 10 p.m. every day. Member Rocco asked if you can make a left-turn from Lincoln Highway into their facility. The answer was no. This is a busy intersection, but according to the traffic study that was performed, this will be a minor impact to the traffic. Chairman Harvie asked about the Fire Marshal review letter dated September 4, 2018 in regard to the turning radius. When they resubmit the plans, they will show that the fire trucks can access the site. Member Dence moved to approve Resolution #

**Board of Supervisors – September 18, 2018**

18-16 for Patient First, preliminary and final land development, 100 Lincoln Highway, TMP # 13-004-085; Member Rocco seconded the motion; all board members were in favor. (5-0)

**ITEM # 4 CONSIDER AGREEMENT WITH CAPITAL HEALTH FOR AMBULANCE SERVICES**

Chairman Harvie said Falls Township was served by two ambulance companies. About 88% was served by the Levittown Fairless Hills Rescue Squad and about 12% was served by the Morrisville Ambulance Company. The Morrisville Ambulance Company has run into some financial troubles and they will be closing. In speaking with Morrisville Borough, we found they were in contact with Capital Health and the ambulance service they run. Morrisville Borough has already entered into an agreement with them. Mr. Jim Boozan, Divisional Director for Emergency Medical Services for Capital Health, spoke about their services. They have a strict policy to take the patients where they want to go; where their physicians and medical records are located. They have opened an office in Langhorne. They are in this community and have been for a long time. When they come into Pennsylvania to run this service, they will run under the Pennsylvania rules and guidelines. They provide mutual aid to the Levittown-Fairless Hills Rescue Squad and vice versa. Member Dence moved to approve the Capital Health ambulance services agreement, as amended; Member Rocco seconded the motion; all board members were in favor. (5-0)

**ITEM # 5 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR ORDINANCE AMENDING CHAPTER 184 – SEWERS AND WATER – TO AMEND PART 5 ON-LOT SUBSURFACE SEWAGE DISPOSAL FACILITIES AND PRIVATELY-OWNED COMMUNITY SEWAGE SYSTEM REGULATIONS – SECTIONS 84 THROUGH 87**

Chairman Harvie said in July, the township adopted an amendment to our ordinance dealing with homes that have septic systems. That is something that the DEP required us to do to create a plan working with the Township of Falls Authority (TOFA) to inspect regularly septic systems. If the homeowners haven't been inspecting them, there hasn't been any inspections making sure they are contained and there are no leakages. This is authorizing some changes that came from DEP. Ms. Gallagher reviewed the changes. We are inviting people to a meeting on Monday, October 1<sup>st</sup>. It will be an open meeting so that if anyone has questions, they can come to the meeting and we will go over them. The major change dealt with the sewage enforcement officer. DEP was comfortable with taking a step back from that and allowing TOFA create a list of approved pumper/haulers that are licensed by the Department of Health to provide those services. The owners can select an approved pumper/haulers from that approved list to service their property. There are definitions about what those pumper/haulers are required to do every time they go to clean out the tanks. It also talks about not going onto the property without the homeowner's consent. Member Dence moved to authorize advertisement for ordinance amending Chapter 184 – Sewers and Water – to amend Part 5 On-Lot Subsurface Sewage Disposal Facilities and Privately-Owned Community Sewage System Regulations – Sections 84 through 87; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 6 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE 2018 ROAD IMPROVEMENT PROGRAM LANDSCAPING**

Manager Gray said the township received bids for the 2018 Road Improvement Program landscaping. They are: \$59,866.00 (alternate bid \$92,860) from Bustleton Services, Inc. and \$63,300 (alternate bid \$95,700) from General Asphalt Paving Co. Member Dence asked Mr. Sullivan if he were okay with the work that Bustleton Services did on the last road program. Mr. Sullivan said yes. Member Dence moved to issue the notice of intent to award the bid for the 2018 Road Improvement Program landscaping to Bustleton Services, Inc. in the amount \$59,866 with the alternate of \$92,860 (including sod), pending the successful contractor review; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 7 CONSIDER BIDS FOR THE SALE OF TOWNSHIP SURPLUS VEHICLES**

Member Dence moved to accept the bids for all of the township surplus vehicles and equipment listed on the September 14, 2018 memo from Manager Gray in the amount of \$21,360; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 8 CONSIDER PROPOSALS FROM THE BUCKS COUNTY CONSORTIUM REGARDING THE PURCHASE OF ROCK SALT FOR 2018-2019**

Manager Gray said the township received the Bucks County Consortium Salt Bid from Doylestown Borough. Member Galloway moved to accept the Bucks County Consortium salt bid from Morton Salt at the price of \$47.92 a ton delivered and \$47.00 a ton undelivered; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 9 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2019 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE PENSION PLAN**

Member Boraski moved to approve Resolution # 18-17 to establish the 2019 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$2,828,993; Member Dence seconded the motion; all board members were in favor. (5-0)

**ITEM # 10 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2019 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE NON-UNIFORM PENSION PLAN**

Resolution # 18-18 was passed to establish the 2019 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$124,976. (Items # 9, 10, and 11 were done as one motion.)

**ITEM # 11 CONSIDER ADOPTING RESOLUTION ESTABLISHING 2019  
MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PUBLIC  
WORKS PENSION PLAN**

Resolution # 18-19 was passed to establish the 2019 Minimum Municipal Obligation (MMO) for the Public Works Pension Plan in the amount of \$77,786. (Items # 9, 10, and 11 were done as one motion.)

**ITEM # 12 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR AUDIT  
OF THE 2018 FINANCIAL RECORDS**

Member Galloway moved to authorize to advertise the notice to appoint a Certified Public Accountant to audit the township's 2018 financial records and send out request for proposals for auditor appointment for the 2018 fiscal audit; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 13 CONSIDER AUTHORIZING REQUEST FOR PROPOSALS FOR  
AUDITOR APPOINTMENT FOR 2018 FISCAL AUDIT**

(One motion with above)

**ITEM # 14 CONSIDER AUTHORIZING SOLICITOR TO CONTACT  
POTENTIAL FIRMS TO ASSIST THE TOWNSHIP WITH POLICE  
HIRING**

Member Rocco moved to authorize the solicitor to contact potential firms to assist the township with police hiring; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 15 MINUTES – AUGUST 21, 2018**

Member Rocco moved to approve the minutes from August 21, 2018; Member Galloway seconded the motion; all board members were in favor. (5-0)

**ITEM # 16 ENGINEERS REPORT**

Mr. Sullivan gave an update on the 2018 Road Improvement Program. It should take 150 calendar days by contract, but will likely take a little longer if there are weather issues. Member Dence moved to approve the August, 2018 Engineers Report dated September 13, 2018; Member Galloway seconded the motion; all board members were in favor. (5-0)

**Board of Supervisors – September 18, 2018**

**ITEM # 17 BILL LIST**

Member Galloway moved to approve the bill list for September 18, 2018 in the amount of \$1,760,289.44; Member Boraski seconded the motion; all board members were in favor. (5-0)

**ITEM # 18 EXECUTIVE SESSION**

Mr. Clarke said prior to tonight's meeting, the board held an Executive Session to discuss several matters of potential litigation and various personnel matters.

**ITEM # 19 POLICE DEPARTMENT REPORT**

Chief Wilcox reported on the following:

- A. The Citizens Police Academy will start on September 26th. Anyone is welcome to attend. You do not have to be a township resident.
- B. Chief Wilcox said we have had some very good arrests. The first was a burglary in Fairless Hills where the individual walked into an occupied house and locked himself in a bedroom. He took some things and jumped out of a window. Police were able to apprehend him. The next involved a drug delivery that resulted in a death. This was from an overdose that took place in March. Two individuals were arrested in this case.
- C. In regard to the fatal hit and run at the ice cream parlor and as result of some very good police work and tips by the public, we were able to arrest an individual within a week and obtain a confession. Chairman Harvie said there were a lot of people who were very upset about the hit and run and people were ecstatic that things happened as fast as they did.
- D. There was a case involving drug possession. We received information about a car carrier that may have been carrying numerous guns and money. We found a significant amount of drugs and over \$10,000 in cash. The car carrier was on its way to Texas. We are currently working with the ATF and the DEA on this case.

**ITEM # 20 MANAGER COMMENT**

- A. Member Galloway moved to ratify the purchase of 15 trees at \$50 each for a total of \$750, under the bare-root tree program; Member Dence seconded the motion; all board members were in favor. (5-0)
- B. A new township business is Malay Thai Kitchen LLC on New Falls Road.

**ITEM # 21 BOARD COMMENT**

Member Rocco – no comment.

Member Dence – no comment.

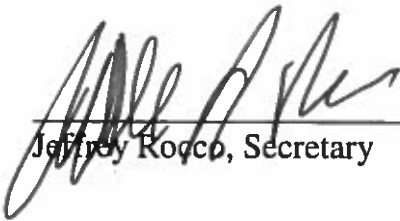
Member Boraski – no comment.

**Board of Supervisors – September 18, 2018**

Member Galloway – no comment.

Chairman Harvie wishes a Happy Rosh Hashanah and Blessed Yom Kippur to township residents. For the past few years there have been issues in Levittown in regard to Lower Bucks County Joint Municipal Authority (LBCJMA) and some of the work they have been doing in terms of their easements requiring sheds and fences to be moved. In talking with some other representatives in the area, Falls Township has never had any representation on that board. He went to a meeting and asked why. What he was told is that when LBCJMA was formed, membership on that board was offered to all the communities, but only Bristol Township and Tullytown accepted. Member Dence moved to authorize the manager and solicitor to have some communications to find out what would be involved with Falls Township gaining some representation on that board; Member Galloway seconded the motion; all board members were in favor. (5-0)

Member Dence moved to adjourn the meeting; Member Rocco seconded the motion all board members were in favor. (5-0) The meeting was adjourned at 8:10 p.m.



---

Jeffrey Rocco, Secretary

