

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

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

The meeting commenced at 7:03 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Dence who had a personal matter and could not attend tonight's meeting. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones. Chairman Harvie said today is the day to recognize the sacrifice by men and women who serve in the police force across the country. A few days ago, a state trooper passed away in the line of duty. In memory of all those officers who passed away, no matter where they served, Chairman Harvie asked for a moment of silence.

BARKANN HEALING HEARTS FOUNDATION CEREMONY

Member Boraski said we held our third annual Falls Township Touch A Truck event on Saturday, April 27th. The first hour was sensory friendly. We had face painting and a bounce house. It was a great event. This year we reached out to the Healing Hearts Foundation. This was the most successful year we had, raising \$10,850. Mr. Mike Barnes was present to accept the donation. He congratulated the entire team that put this together. He said they were honored and grateful to be a part of this year's event. The support we have received from Lower Bucks and Falls Township is extraordinary. The donation goes towards helping families in need.

**ITEM # 1 CERTIFICATE OF APPROPRIATENESS – 30 LACROSSE STREET
TMP # 13-020-264 – ADDING A 140 SQUARE FOOT KITCHEN
ADDITION**

Member Galloway moved to approve the Certificate of Appropriateness for 30 LaCrosse Street, TMP # 13-020-264 to add a 140 square foot kitchen addition; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 2 CERTIFICATE OF APPROPRIATENESS – 93 MAIN STREET TMP # 13-020-237 – REPLACE EXISTING WOOD SIDING WITH HARDI PLANK SIDING

Member Boraski moved to approve the Certificate of Appropriateness for 93 Main Street, TMP # 13-020-237 to replace existing wood siding with hardi plank siding; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 3 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON FORTY-FIVE MINUTE MAXIMUM

Ms. Toni Battiste thanked the board for listening to their constituents and voting no on the Elcon issue. Ms. Battiste said she attended the meeting at the Sheraton a week later. She was disappointed that no one from the board was there. Besides Elcon, there was information about other potential problem companies coming into our township. One person at that meeting spoke about air quality. Ms. Battiste said our air quality is terrible. She wrote to the Pennsylvania Attorney General asking if our municipality can write stricter air quality standards. They referred her to the DEP who is, at the present time, looking into this. She hopes to get an answer from them. There is an environmental lawyer who has said that we can do this. If we can also write more strict fines, then we could at least benefit financially. If they fix their problems, we can have cleaner air, our residents would have better health, and our neighbors would appreciate the support.

Ms. Sharon Furlong was not able to attend the April 30th meeting, but she thanked the board for their vote. She said in her many years of environmental fighting, she notices that environmental projects don't die. They come back in many different forms. The DEP just did a denial from one of their three permits. If they deny the other two, maybe Elcon will go away. Ms. Furlong said she thinks litigation may be in the future and she wants you to know that we are behind you. She has a concern about so many projects that are still up for Falls Township and they have a direct impact on our air and our life. Ms. Furlong spoke about flaring permits that Waste Management wants to build. The Sierra Club, Bucks Environmental Action, the New Jersey Sierra Club and many others have already written against the idea of eight to twenty-one more permits to be granted to build more stacks in order to flare gases and noxious fumes from whatever is remaining when Waste Management closes the Exelon plant and one of their other plants. They plan on building stacks in order to flare off these noxious gases and volatile compounds because they can't capture it and they don't have a buyer for it. Thousands of pounds per stack of additional noxious fumes and noxious compounds are going to be vented into our air. It goes into New Jersey and we and they are already in bad shape. The clean air ordinance may be the way to go. Again, it could be anywhere between eight or more like sixteen of these stacks. They say if they get a buyer, they will stop using these stacks. We are still being considered in Lower Bucks County as a dumping ground for anybody's garbage and pollution and that is not okay. With you voting no to Elcon, maybe you are seeing that this is not okay either. Please start to take a look at this. For everyone in this room, please write to the DEP when this opens up on June 1st.

Chairman Harvie said what was renounced by the DEP was technically not a denial. It was a notice of intent to deny. It was not a denial. They are giving Elcon a chance to address the eighteen points.

Ms. Lise Baxter thanked the board for listening to your community and taking community into consideration. She wants to reiterate that it is not over. The official comment period for the DEP is June 1st through July 15th. Check out StopElcon.com as we have the address on there. There is a general e-mail box where anyone can submit comments. They especially would like comments from chemists, chemical engineers, physicians, and nurses; anyone who has a good reason why this company should not locate here. We would like if you could still consider a clean air ordinance. We believe that would be the best way to keep companies like Elcon out, so we don't keep having this battle. In regard to the Waste Management flares, the amount of nitrous oxide is almost three major facilities at 65 NOx and the limit for a major facility is 25 NOx. We have asked for a public hearing. Ms. Baxter sent the board an e-mail in regard to violations by Reldan Metals. She would like the board to look into this.

**ITEM # 4 ABINGTON RELDAN METALS – AMENDED FINAL LAND DEVELOPMENT PHASES 3 & 4 – 550 OLD BORDENTOWN ROAD
TMP # 13-51-1-9**

This is the amended final land development for phases 3 and 4 for Abington Reldan Metals located at 550 Old Bordentown Road, TMP # 13-51-1-9. This is to construct additional parking and lighting improvements. The applicant is represented by Ms. Sharon Dotts from Gilmore & Associates. Ms. Dotts said we have been here several times to get phase 2 approved and then phases 3 and 4 approved. This amendment is to expand parking. They have performed storm water calculations and the existing facilities can handle the additional pervious. They were previously granted the waiver for the 15 feet of open space between the curb line and the future phase 4 building. Mr. Jones said the extra parking was a function of a complaint by the fire marshal. This is to satisfy our fire marshal. Ms. Dotts reviewed the April 18th letter from the Disabled Persons Advisory Board. They recommended two handicap accessible spaces be located closer to the building. Ms. Dotts indicated on the diagram where the spaces would be located. The spaces they are applying now do not have any additional handicap-accessible parking spaces. We have four handicap spaces under the current plan. With building four, there will be another entrance and there will be two spaces adjacent to that entrance as well. Member Rocco moved to open public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Ms. Cathy Leary said she sent the board an e-mail. Abington Reldan Metals manufactured 25,000 lbs. per year of toxic chemicals for three years; 2012, 2013, and 2014. They did not report it as required by law and by their permit. They were fined \$36,000. Member Rocco moved to close public comment; Member Galloway seconded the motion; all board members were in favor. (4-0) Member Galloway moved to approve Resolution # 19-14 for Abington Reldan Metals, amended final land development phases 3 & 4, 550 Old Bordentown Road, TMP # 13-51-1-9; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 5 CONSIDER DELAWARE VALLEY REGIONAL PLANNING
COMMISSION GRANT AND PROPOSAL FROM REMINGTON
VERNICK ENGINEERS**

Manager Gray said Remington Vernick Engineers has submitted a proposal for grant-writing services for the adaptive traffic signal system upgrades. The Delaware Valley Regional Planning Commission (DVRPC) is accepting applications for the Congestion Mitigation and Air Quality (CMAQ) Program which provides funding to transportation projects. It generally includes an 80/20 funding split. Applications may be submitted to the DVRPC by June 28th. Some of the projects the board may want to consider are located on Lincoln Highway, West Trenton Avenue, and Oxford Valley Road. The board is asked to consider this proposal in an amount NTE \$4,500. Mr. Derrick Kennedy from Remington Vernick provided additional information. In January, they had a meeting with PennDOT about their plans at Business Rt. 1 and Oxford Valley Road. If opportunity presents itself, the adaptive signal is something they would like to do in Falls Township. The signal will adjust in real time. The benefits will reduce fuel consumption, emissions, and improve traffic conditions. Member Rocco moved to approve the proposal from Remington Vernick Engineers in the amount NTE \$4,500 for the funding application for the Delaware Valley Regional Planning Commission Congestion Mitigation Air Quality improvement program grant; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 6 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE
QUAKER PENN PARK ELECTRICAL PROJECT**

Manager Gray said on Thursday, May 9, 2019, township representatives opened sealed electrical bids for use at the Quaker Penn Park. The bids were: Current Electrical Solutions in the amount of \$29,800 and Pringle Electric in the amount of \$13,955. Current Electrical Solutions is the lowest responsive bidder for the project. Pringle Electric is disqualified due to failure to provide the required bid security. It is recommended to authorize Jones Engineering Associates to issue a notice of intent to award the bid to Current Electrical Solutions for this project in the amount of \$29,800. Member Galloway moved to approve the notice of intent to award bid for the Quaker Penn Park electrical project to Current Electrical Solutions in the amount of \$29,800; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 7 CONSIDER NOTICE OF INTENT TO AWARD BID FOR THE
QUAKER PENN PARK CAMERA PROJECT**

Manager Gray said on Thursday, May 9, 2019, township representatives opened sealed camera bids for use at the Quaker Penn Park. The bids were: Fidelity Alarm Company in the amount of \$39,200; Current Electrical Solutions in the amount of \$39,215; SMS Building Systems in the amount of \$20,459; and STS 007, LLC in the amount of \$24,800. SMS Building Systems is the lowest responsive bidder for the project. It is recommended to issue a notice of intent to award the bid to SMS Building Systems for this project in the

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amount of \$20,459. Member Boraski and Mr. Lawson said there were substantial savings by putting this out to bid again. Chairman Harvie said the cameras can be accessed remotely by our staff and the police department. Mr. Lawson said the camera on the last pole will record the license plate of outgoing vehicles. Member Boraski moved to approve the issue of intent to award bid for the Quaker Penn Park camera project to SMS Building Systems in the amount of \$20,459; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 8 CONSIDER RESOLUTION FOR THE SEWAGE FACILITIES PLANNING MODULE FOR AAA CAR CARE CENTER – 516 NORTH OXFORD VALLEY ROAD

Manager Gray said this is standard procedure for approving the sewage components of new development projects that either differ from the previous use for the site or differ in terms of anticipated sewage flows from the site. Since this project is changing from a furniture store to a car care center, Falls Township and the DEP must concur that the sewage flows from the proposed site will not have an adverse effect on any sewage collection and treatment systems that are in place which handle the sewage flows from this property. Member Rocco moved to approve Resolution # 19-15 for the sewage facilities planning module for AAA Car Care Center, 516 North Oxford Valley Road; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 9 CONSIDER AGREEMENT FOR THE 1,000 LIGHTS LANTERN FESTIVAL

Mr. Brian Andrews spoke about this event. We are excited to do this as it is something new for our area. It will be held on Saturday, June 15th from 6-9 p.m. at the Falls Township Community Park. We will have food trucks, music, and games for kids. There are no environmental issues with this event and the park will not close. The township is guaranteed \$1,000 for this event and then there is a tiered structure for how many kits are sold. The cost of lantern kits is 0-9 free, ages 10-13 \$13, and adults are \$25. Member Galloway moved to approve the indemnity agreement for the 1,000 Lights Lantern Festival to be held on June 15, 2019 at the Falls Township Park; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 10 MINUTES – APRIL 16, 2019 AND APRIL 30, 2019

Member Boraski moved to approve the minutes from April 16, 2019; Member Rocco seconded the motion; all board members were in favor. (4-0) Member Galloway moved to approve the minutes from April 30, 2019; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 11 ENGINEERS REPORT

Mr. Jones said there are three new earth disturbance permit submissions, two general cell tower submissions, and two floodplain permit submissions. They are currently at review in various stages. In terms of the culvert, we will be in Harrisburg this week to meet with PEMA to review a benefit cost analysis. After we are done with that meeting, we will have a good understanding of whether or not we will receive the grant money. For the 2018 Road Program, Walton and Lions are substantially complete. On Share Drive, the contractor is removing the sidewalk on the right side and they are formed and ready to pour on the left side. All homes have access to their driveways. For the 2019 Road Program, we are well underway with the design. We are waiting for the last two submissions from our surveyor for Rice and Fletcher Drives. Once we receive those base map surveys, we will be in a position to advertise and have a meeting with the general public for the homeowners affected by that construction. I will explain to them what to expect. We are about 30-40% complete and are waiting for the last two road surveys. Member Rocco moved to approve the Engineers Report for April, 2019; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 12 BILL LIST

Member Rocco moved to approve the bill list dated May 20, 2019 in the amount of \$3,787,209.95; Member Galloway seconded the motion; all board members were in favor. (5-0)

ITEM # 13 EXECUTIVE SESSION

Mr. Clarke said prior to tonight's meeting, the board met to discuss personnel matters, a litigation matter, and a matter involving contract negotiations.

ITEM # 14 POLICE DEPARTMENT REPORT

Chief Wilcox reported on the following:

- A. Chief Wilcox extends prayers and condolences to the Brackett family on the death of Trooper Donald C. Brackett who passed away suddenly while on patrol. Not only was he an 18-year veteran of the State Police, but he was a 20-year Captain in the Marine Corp.
- B. Kudos go out to our detective bureau on the arrest of the person who murdered the 3-year old at the Commons of Fallsington Apartments. Shawn Felmei was captured in Melbourne, Florida. This was a joint effort by our police, the District Attorney's office, and local police officers in Florida.
- C. There is a new program where residents who have home security cameras can list their addresses with the police department. In the event police need to view footage from your camera, they can contact homeowners to request this.
- D. Chief Wilcox thanked Mrs. Gina Seiler who was instrumental in obtaining a

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National Information Bureau of Statistical Exchange grant in the amount of \$34,600. Ms. Seiler worked a long time on this and did a very good job.

- E. The Bucks County Tour of Honor honors WWII, and Korea Veterans. We received a thank you letter from them for members of our police department who spend their own time in assisting with traffic and whatever else is necessary with this endeavor.
- F. We have two more students for the Chief for the Day program. (May 29th and June 5th) We will bring in the children and their families so they can receive their certificates.

Chairman Harvie said at our June 18th meeting we will be recognizing members of the police department.

ITEM # 15 MANAGER COMMENT

- A. Member Rocco moved to approve escrow release # 1 for Patient First Langhorne in the amount of \$124,683.52 and escrow release # 13 for Morrisville Commons in the amount of \$239,244.30; Member Boraski seconded the motion; all board members were in favor. (4-0)
- B. Manager Gray announced the following new businesses: Mid-Atlantic Event Group, Resource Recycling Management, Fortunoff Backyard Shop, MicroTrap Corporation, Dulce Bistro & Bakery and Fairhills Appliance Repair.
- C. Lt. Whitney discussed the police programs for Narcan and Quick Response. Since February of 2015, we have used Narcan more than 400 times. Adopting the policy allows us to continue to provide Narcan to save people in our community and allows us to monitor that use through a medical director to make sure we are operating at a high standard. Medical calls are the number one calls that we respond to. The Quick Response program allows us to work with a medical director in providing a high level of care and pre-hospital care to people in our community who are injured. Member Rocco moved to approve and enact the police policies for Narcan and Quick Response; Member Galloway seconded the motion; all board members were in favor. (4-0)
- D. Manager Gray said mylars are ready for W.G. Lincoln and Abington Reldan.

ITEM # 16 BOARD COMMENT

Member Rocco said it was a nice quiet meeting.

Member Boraski – no comment.

Member Galloway – no comment.

Chairman Harvie said the Memorial Day parade is this coming Sunday and is hosted by the American Legion. The parade will start at the high school at 1 p.m. and proceeds down New Falls Road, ending in front of the American Legion Post in Fallsington. Chairman Harvie wants to remind everyone the difference between Memorial Day and Veterans Day. Keep in mind that Memorial Day is to remember the roughly one million Americans who

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have given their lives in service to this country since July 4, 1776. Chairman Harvie also wanted to send wishes for an early Happy Father's Day. This is the last meeting before the DV3 Flag Ceremony which will be held June 7th through June 9th. Roughly 60,000 flags will be planted and removed, and volunteers are needed to help with this. Everything is open to the public and there is a concert on that Saturday. This may be the largest single display of American flags in the world and they have been doing this for 30 years repeatedly. Mr. Andrews works with them as well as the Public Works Department and the Police Department to help make this event a success. We are proud to have them here.

Member Rocco moved to adjourn the meeting; Member Galloway seconded the motion all board members were in favor. (4-0) The meeting was adjourned at 8:08 p.m.



Jeffrey Rocco, Secretary

Jeffrey Rocco 1555