

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

JEFFRY E. DENCE, CHAIRMAN	PRESENT
JEFF BORASKI, VICE-CHAIRMAN	PRESENT
JEFFREY ROCCO, SECRETARY	PRESENT
BRIAN M. GALLOWAY, SUPERVISOR	PRESENT
JOHN PALMER, SUPERVISOR	PRESENT

The meeting commenced at 7:03 p.m. with roll call and pledge to the flag. All Board members were present. Also present were Chief Code Enforcement Officer & Zoning Officer/Assistant Township Manager Matthew Takita, Township Solicitor Michael Clarke, and Township Engineer Joe Jones.

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

Ms. Sandra Gartner lives on Wheatsheaf Road. She had previously requested to have a speed radar sign near the park entrance on Wheatsheaf Road. Since this sign was put in place, she has noticed a huge difference with the traffic and said people are starting to slow down. Ms. Gartner thanked the board and Lt. Whitney for installation of the sign. Ms. Gartner sent a Happy Father's Day greeting to the community.

Ms. Toni Battiste asked if this meeting were being live streamed on YouTube. Chairman Dence said yes. In regard to Elcon, Ms. Battiste said she understands Judge Baldi will hear the comments on July 17th. Is there anything else going on? Chairman Dence said nothing else is going on. Once we have further information, we will update the website. Ms. Battiste asked about zoning permit fees and if anyone consulted with the Bucks County Association of Realtors. Mr. Takita said no we have not. This is in response to a number of inquiries we have received from different realtors and their concerns with how intensive getting a letter of intent is, along with the application and fees associated with that. Ms. Battiste said she thinks that \$80 is going to be a bit of a hardship for a lot of them. Regarding Stalwart, what will be stored, and is anything going to be produced or manufactured there? There is concern about leakage. Will the township have any safeguards or legal assurance that whatever is being stored is not toxic and will not contaminate the water supply? Member Dence said this is just a sketch drawing to get some feedback from us. Should they move forward with this project, there would be a lot of township ordinances they would need to comply with. It would be a warehouse; there is no manufacturing unless something changes between now and when they are ready to move forward. Ms. Battiste said she understands they will need water and sewage and that Morrisville will have a hard time supplying this. She knows there will be a lot of truck traffic and said the people along South Pennsylvania Avenue had previously complained

about the trucks along this road. Chairman Dence said if this plan were to move forward, truck traffic will be one of the big issues and they would have to come down Tyburn Road. Mr. Joe Jones said there are two traffic maps. One map shows the automobile traffic going two ways, but the other map shows the truck traffic utilizing Tyburn Road.

**ITEM # 2 INTRODUCTION FOR THE PROJECT DISCUSSION FOR
STALWART – 2300 PENNSYLVANIA AVENUE**

The following were present on behalf of the applicant, Mr. Samuel Wachsman (Stalwart Equities), Mr. Robert Gundlach (Fox Rothschild), Mr. Jeff Fiore (Traffic Engineer), Mr. Yosef Portney (Civil Engineer), Ms. Jessica Rice (Fox Rothschild), and Mr. Yakov Stiel (Stalwart Equities). Exhibits provided to the board included: a plan showing existing features, an aerial plan, a zoning map, an architectural plan, a passenger vehicle circulation plan, a truck circulation plan and a proposed text amendment. Mr. Gundlach said the proposed project sits on approximately 85 acres. Two small parcels along South Pennsylvania Avenue that are vacant land were also purchased to provide better access for trucks out to South Pennsylvania Avenue. A portion of the Roger's Foam parcel is being purchased for the sole purpose of obtaining access out to East Post Road. The current zoning for this area is Riverfront District 1 (RD1) which permits a variety of residential, commercial and services uses on the property. The plan is to redevelop the property for a warehouse building consisting of 916,300 sq. ft. with adjacent truck loading bays that are typically found in warehouse buildings of this nature as well as 570 parking spaces for vehicles for the individuals who would be working here in the warehouse. There are two existing access points to the property. The existing access to South Pennsylvania Avenue would be widened and we have obtained a second access on East Post Road for cars only. Mr. Wachsman said Stalwart is an industrial development company. They have done multiple developments in central New Jersey and north of New Jersey. They are under contract for this site and adjacent sites with the intent to develop a 916,300 sq. ft. distribution facility. The building will mainly be used for storage. Product will be coming in and then distributed to the New Jersey or Philadelphia market. There will be no storage of toxic chemicals or hazardous materials on this site. Even though it is a warehouse, they typically like to design buildings as attractive and appealing. This could be for one user or multiple users. Mr. Portney displayed an aerial view of the site plan and indicated the access points to the property. The property is on the Delaware River and a portion is on the flood plain of the river. The project will be buffered from the commercial and residential properties on South Pennsylvania Avenue. No portion of the development site is in the flood way. The building will be elevated at a minimum of one foot above the flood elevation. They will comply with the township flood ordinances and any FEMA regulations to assure that the building is safely constructed and will not have any impact on adjacent properties. Mr. Fiore said they will have overflow parking for the trucks. The office areas will be located in the four corners of the building. Car traffic will arrive from either the north from Rt. 1 or from the west via Rt. 13. There is a truck restriction along South Pennsylvania Avenue so trucks would get off Rt. 13 at Tyburn Road, travel East to South Pennsylvania Avenue, and then go to the main access along South Pennsylvania Avenue.

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We would use signage and direct traffic to make a left out of the site. We have had conversations with PennDot. The intersections they want analyzed are: Tyburn Road and New Ford Mill Road, South Pennsylvania Avenue and Post Road, South Pennsylvania Avenue and Philadelphia Avenue, and South Pennsylvania Avenue with the north Rt. 1 ramp. We will be studying those areas which will be under review by Remington Vernick. They have been approved by PennDot but we want to get the township's blessing before moving forward with the traffic study. Mr. Gundlach continued with the overview of the proposed plan. He said they have done some work to date, but they have taken it as far as they can before they get input from the Board of Supervisors, the Planning Commission, and the public. We hope to continue to work with township staff to further refine the plan. We have done a preliminary revenue study and we will be submitting that to the township. When constructed, this project would generate about \$963,000 in real estate taxes per year to the Pennsbury School District, \$41,000 to the township, and \$33,000 in annual local services tax revenue. There will be very little services that will be needed. We will have approximately 500 employees on site so we will generate jobs for the community. Member Rocco asked how many trucks per day would come to this site and what the hours of operation would be. Mr. Fiore said we use the square footage of the building and using an IT trip generation manual, it will generate about 700 vehicles per day. About 20-30% would be truck traffic so we are looking at about 150-200 trucks over the course of a full day. As a condition of the Highway Occupancy Permit, PennDot requires a post study to be done six months after its opening. If the numbers are underestimated or anything further is needed, it is our responsibility to provide those updates. Member Rocco asked if they thought there would be need for a traffic light. Mr. Fiore said based on the volume alone, he does not believe a traffic signal would be needed. Member Rocco asked if there were other warehouses that have been done. Mr. Wachsman said we have done a project in north New Jersey - Woodbridge. It is a build to suit. We have a project in Long Island where we are dealing with Walmart. Mr. Clarke was asked if the township had ever done a text amendment. Mr. Clarke said this is the first one we would be doing since he has been here. Mr. Gundlach said the text amendment gives you the ability to address concerns that you have with the project. Member Palmer asked about the hours of operation. Mr. Gundlach said we need to offer any of the tenants the opportunity to operate three shifts. We think some will take advantage of that and others will not. At this point, we do not have a tenant. We will provide more information as we get it. Member Boraski said we looked at the architectural plans and they show offices in all four corners. Is it possible we could have more than one tenant or is this something that is standard? Mr. Gundlach said they would love to have one tenant, but they prepared for four separate tenants here. We will not have the answer until we market it and find the answer. It is to be determined. Member Boraski said this is very close to the river and asked how high the end of the building would be to get them out of the flood plain. Mr. Portney said the existing site is partially in the flood plain. They would be elevating the rest of it and there would be some earth work so we can accomplish that by re-locating the high points of the site. They will do a full flood plain study in compliance with township ordinances and the lift would be about one foot above. Mr. Jones said the finished grade would have to be a foot and a half above the flood plain per our regulations. A lot of the site is in the flood plain. He would expect to see some fill. All of that would be outlined in his review. Member Boraski wished everyone good luck in

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getting through this and finding a potential client. It would be great to get that tax base and have someone occupy that property. Member Galloway echoes all of Member Boraski's comments. He is glad to see warehouse and not manufacturing. Good luck to you.

Chairman Dence said everyone else covered most of his concerns. He believes the biggest problem you will have is traffic coming from Tyburn Road. It is a nice-looking project and is a good site. We will look forward to you coming back with a plan moving forward. Mr. Gundlach said they would like to continue to meet with the township staff and the Planning Commission as per the text amendment ordinance. Chairman Dence said the current site is literally on the bank of the river. Whatever they are doing is a vast improvement to what is there now. Thank you very much. We look forward to seeing you again.

ITEM # 3 CONSIDER AWARDED TOWNSHIP INSURANCE POLICY FOR THE PERIOD OF JUNE 18, 2020 TO JUNE 18, 2021 (PROPERTY, GENERAL LIABILITY, AND PUBLIC LIABILITY)

Mrs. Chris Vaughn and Ms. Anne Smith were present to answer questions. Ms. Smith said they received a quote from Travelers in the amount of \$348,494, and an indication from Great American which was about \$100,000 higher so she did not pursue it. Liberty Mutual also provided a quote which was close to Travelers, but they had a \$10,000 property deductible (rather than \$5,000) and they attached a \$5,000 deductible to the use coverage liability. Ms. Smith said Travelers is a \$21,000 increase from last year's premium. Member Galloway moved to award the Township insurance policy for the period of June 18, 2020 to June 18, 2021 to Travelers in the amount of \$348,494; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 4 CONSIDER THE TOWNSHIP MANAGER TO FINALIZE THE AWARD FOR BID FOR THE 2020 FALLS TOWNSHIP ROAD IMPROVEMENT PROGRAM

Member Galloway moved to approve for the interim Township Manager to finalize the award for bid for the 2020 Falls Township Road Improvement Program contingent upon successful outcome of the Jones Engineering Associates contractor review; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 5 CONSIDER RATIFICATION OF DECLARATION OF EMERGENCY AS APPROVED BY THE BOARD OF SUPERVISORS DATED MAY 22ND, MAY 29TH, JUNE 5TH, AND JUNE 12, 2020

Member Galloway moved to ratify the declaration of emergency as approved by the Board of Supervisors for the dates of May 22nd, May 29th, June 5th, and June 12, 2020; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 6 CONSIDER AMENDING THE 2020 FEE SCHEDULE FOR CODE, FIRE, AND PARKS & RECREATION

Mr. Takita said the board is being asked to amend the 2020 Fee Schedule for Code, Fire, and Parks & Recreation to include a new permit application for zoning certification in the amount of \$80. This is in response to a number of requests we are getting from realtors on just zoning and use of the property that would not necessitate the need for all of the paperwork and inspections that would be required under a letter of intent. Right now, the minimum fee for a letter of intent is \$255. The other amendment is for an earth disturbance application. Currently, we have a \$2,000 escrow for minor residential projects. That is cost-prohibitive for most minor residential projects. We are looking to create a new subset which would be a residential earth disturbance with the escrow being \$500. This was reviewed by Jones Engineering Associates and would cover the cost of most minor residential projects. Member Boraski said he appreciated the work on this. To get that lowered to \$500 is really good for the township. This includes in-ground and above-ground pools. The zoning certification fee is common in other municipalities. Chairman Dence said we are actually saving realtors money by lowering the fee to \$80 and reducing the amount of time it takes to get a response. Mr. Takita said no other fees are being changed under this resolution. Member Galloway moved to approve Resolution # 20-17, amending the 2020 Fee Schedule for Code, Fire, and Parks & Recreation; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 7 CONSIDER EMPLOYMENT AGREEMENT WITH MATTHEW TAKITA TO SERVE AS THE TOWNSHIP MANAGER, DIRECTOR OF THE BUILDING AND CODE ENFORCEMENT DEPARTMENT AND ZONING OFFICER

Chairman Dence said Mr. Takita stepped up to be our Interim Manager after Mr. Gray left the township. He has done a very good job and has led us through this whole COVID pandemic. Mr. Takita's leadership skills are great. We asked him to consider being our full-time Manager and he agreed but he also wanted to remain as the Building and Code Director. We are saving a lot of money because two positions have been combined down to one position. Mr. Takita's annual salary will be \$160,000. Member Rocco said Mr. Takita does a great job and he is sure he will continue to do a great job. Member Palmer said he believes Mr. Takita is a good fit for Falls Township and he looks forward to working with him over the next few years. He is very professional and brings a lot to the table. Member Galloway said Mr. Takita has been doing a good job and he looks forward to the years to come. Member Boraski said what he has done in his short time in Falls Township is great. He made an impact and impression with the township and he looks forward to him getting started in both of these positions after tonight. Member Galloway moved to approve the employment agreement with Mr. Matthew Takita to serve as the Township Manager/Director of Building and Code Enforcement Department and Zoning Officer; Member Palmer seconded the motion; all board members were in favor. (5-0)

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ITEM # 8 MINUTES – MAY 18, 2020

Member Galloway moved to approve the minutes from May 18, 2020; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 9 ENGINEERS REPORT

Mr. Jones said there was one new land development submission for 261 Lower Morrisville Road which was the Marquis Construction building addition. We had two earth disturbance applications submitted; one for a residential pool and one for a stockpile at the Silvi yard on Bristol Pike. Land development updates are shown in red. Kampi Components is complete. We received and approved their storm sewer and storm water management. There has been some recent activity at Lincoln Properties. The J.G. Petrucci tract is a 225,000 sq. ft. spec building in the KIPC. They and the KAF Fairless Hills project will both be before the Planning Commission next week and Al Rose Steel and the Marquis Construction building will both be before the Planning Commission in July. In terms of earth disturbance projects that are ongoing, the Waste Management flare project is substantially complete and the Predmore pool is substantially complete. The Dollar General is an earth disturbance application submitted to us for remedial work in the storm water management basin. For ongoing township projects, the 2019 Road Program waring course pavement was constructed last week. We are working on minor punch list items with the contractor. For the 2020 Road Program, our responsible contractor determination will be issued tomorrow so the manager can finalize the award. Member Galloway moved to approve the May Engineers report; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 10 BILL LIST

Member Galloway moved to approve the bill list in the amount of \$1,646,844.03; Member Palmer seconded the motion; all board members were in favor. (5-0)

ITEM # 11 EXECUTIVE SESSION

Mr. Clarke said prior to the meeting the board met in Executive Session to discuss various personnel matters.

ITEM # 12 POLICE DEPARTMENT REPORT

Chief Wilcox provided Chairman Dence with updates as follows:

- A. Recently, multiple officers assisted the Philadelphia, Trenton, Bristol Borough, and Morrisville Police Departments during this time of civil unrest and protests.
- B. On June 7th, police officers and members of our S.W.A.T. team responded with the U.S. Marshal's Office to the Red Roof Inn and assisting in the arrest of a subject wanted in a double homicide in Trenton.

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- C. We continue to receive supplies and food from the community for our officers. Thanks go out to Chadd Braily from Faith Baptist Christian Academy and others in the community for their generous donations and continued support.
- D. Our officers remain healthy and are still practicing social distancing in compliance with the Governor's order.

ITEM # 13 MANAGER COMMENT

- A. Member Galloway moved to approve escrow releases to Silvi (\$11,158.82), Premium Excavating (\$9,175.17), and St. Joseph Court (\$149,254.98); Member Palmer seconded the motion; all board members were in favor. (5-0)
- B. Mr. Takita said there is a new business in the township. It is Agostino Foods, located at 12 Headley Place.
- C. The Great Shredder Event will take place on June 27th from 10 a.m. to 1 p.m. This is open to residents only (no businesses). This will be held in the front parking lot by the Police Department.

ITEM # 14 BOARD COMMENT

Member Rocco wanted to officially welcome Mr. Takita in his new position. He looks forward to working with him over the next few years. Member Rocco asked about the status with the building. Mr. Takita said we are open by appointment only. We encourage remote meetings with the public. The staff is in the office for eight hours a day and working remotely as needed.

Member Palmer also welcomed Mr. Takita. Mr. Palmer said with restaurants, workers are stepping up to the plate and he is getting a lot of positive feedback from people in the community. Stay safe.

Member Galloway wished a Happy Father's Day and have a good night.

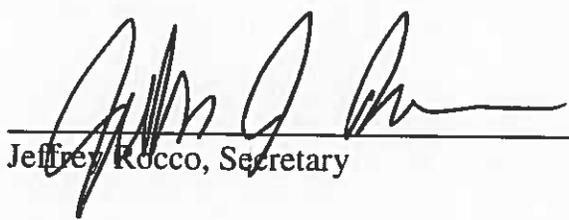
Member Boraski said at our last meeting we approved the separation agreement with Chief Wilcox. Over the past couple of weeks, board members and professionals have helped us work through some interviews with the police department. We did this internally. Member Boraski moved to appoint Lt. Nelson Whitney as the Acting Police Chief starting September 1, 2020 and appointment to Police Chief on January 1, 2021; Member Rocco seconded the motion; all board members were in favor. (5-0)

Chairman Dence said Chief Wilcox will make a formal announcement at a future meeting and we will recognize him at a future meeting. We hired a gentleman to do a search for Chief of Police, we advertised internally, we had a Chief of Police Board from Montgomery County. They interviewed our candidates and all three of them recommended Lt. Whitney. He has been a Falls Township Police Officer and Detective for over 20 years, and I am sure he will do a good job. With the COVID pandemic, it still has a lot of people on edge. There

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has never been any direct threat in Falls Township. The latest trend is someone spreading rumors that police are being denied at local establishments. This is 100% false. There has never been an incident in Falls Township where a business has denied anything in Falls Township. Chairman Dence said a lot of local businesses are starting to re-open. It has been tough for them and it is still tough. Member Boraski has gotten the ball rolling to get the process started for outside seating. If you visit any of these establishments, please be patient with them. We hope for the best and everyone needs to do their part. Please do not give businesses a hard time if they ask you to wear a mask. For the most part, everyone has been very cooperative. Recently, the board had to make a tough decision to cancel summer camp. With the county guidelines, the ratio of students to counselors is such that we would have had to hire more staff, no one can come to visit, there would be no field trips, and there would need to be extra cleaning. The expense would be astronomical for us to increase the cost or pass it on to the taxpayers which is not fair. The same goes for the Pinewood Pool. In past years, we had about 275 residential family memberships and 85 non-resident memberships. Even if we only had it open for Falls Township residents, one guideline would be to section it off. There is no way we can do that with 275 family memberships. We would need to have extra staff to monitor that as well as someone to monitor the bathrooms and anyone who is not a lifeguard would need to wear a mask. Extra chlorine would be needed. It is not fair to all the families to limit them attending the pool. These were unpopular choices we made but hopefully when Pennsylvania goes green, we can get back to as normal as we can and hopefully schools will open in the fall. Chairman Dence welcomes Mr. Takita as our new Manager. Congratulations to Lt. Whitney as our new Chief of Police. Happy Father's Day. Have a good night.

Member Rocco moved to adjourn the meeting; Member Palmer seconded the motion all board members were in favor. (5-0) The meeting was adjourned at 8:18 p.m.



Jeffrey Rocco, Secretary