

**TOWNSHIP OF FALLS  
BOARD OF SUPERVISORS MEETING**

**ROLL CALL:**

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

The meeting commenced at 6:46 p.m. with roll call and pledge to the flag. All Board members were present. Also present were Director of Emergency Services/Assistant Manager/Fire Marshal Richard Dippolito, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones.

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

Ms. Toni Battiste asked for an update on the tot lot playground. She said it has been locked. Mr. Brian Andrews said the tot lot is at Von Hoffman Park. He received an email about this today and will check into the locked gate tomorrow. They will eventually install a new swing set. Ms. Battiste asked about the no wading rule and if it applies to dogs. If there is no wading, is there any consideration for having a small water park area at the community park? Chairman Dence said wading has never been allowed at the lake. Mr. Andrews said dogs cannot go off of a leash. They can go in the water to cool off but not more than a 6-ft. leash. About having a water park, Chairman Dence said there is no public water down there to support something like that. Member Boraski said he and Mr. Andrews have spoken about a sprinkler park. The water fountains are on timers. He would like to have a conversation about that. Mr. Andrews said we have the Pinewood Pool and have a kid pool which is similar to that type of spill-less system. We will have to look into the water access. That would be a big concern. Ms. Battiste also asked about the status of business Rt. 1. They are cutting through the roadway and left a lot of potholes unfilled. Chairman Dence said with the potholes, that is a state road but maybe Mr. Dippolito can look into it this week to see what he can find out. Mr. Dippolito said they were out there today as well. They are cutting down to the sub-base and then they'll come back to mill and overlay the whole thing. Member Boraski said they are doing the same thing on I-76. Mr. Jones said our inspector has been in touch with the PennDOT inspector so he'll get the timing out to the Board of Supervisors tomorrow. Member Palmer told Ms. Battiste if she has a concern in the future, she can each out to Manager Takita and get an immediate answer as to the gate being locked. You don't have to wait a month for the meeting to ask a question. Ms. Battiste said she had asked about the playground before and the answer she received was that you were waiting for parts for some of the equipment that is there. Mr. Andrews said he knows there may be an issue with the TOFA tower, but he will find out tomorrow.

**ITEM # 2 KA AT FAIRLESS HILLS, LP – CONDITIONAL USE – 500 LINCOLN HIGHWAY TMP # 13-017-109**

Member Galloway moved to open the Conditional Use Hearing for KA at Fairless Hills, LP, 500 Lincoln Highway; Member Palmer seconded the motion; all board members were in favor. (5-0) Mr. Clarke said this is a Conditional Use Hearing for KA at Fairless Hills, LP. The property is located at 500 Lincoln Highway, Bucks County TMP # 13-017-109. This is a Conditional Use to permit a motor vehicle fueling station associated with the proposed 5,585 sq. ft. WAWA convenience store. The applicant is represented by Attorney Julie Von Spreckelsen (Eastburn & Gray). Mr. Clarke explained to Ms. Von Spreckelsen that we would ask that she identify her witnesses, have them sworn in, and give a brief summary of what they would testify to if called to testify. At that time, your witnesses would be made available for questions by the board and anyone requesting party status. Ms. Von Spreckelsen introduced two witnesses. They are Mr. Justin Geonnotti, Professional Civil Engineer (Dynamic Engineering) and Mr. Michael Redel, Real Estate Engineer (WAWA). Both witnesses were sworn in. Ms. Von Spreckelsen said the proposed project is for redevelopment of a 2.04-acre property located at the corner of Lincoln Highway and Arleans Avenue for a 5,585 sq. ft. WAWA convenience store with an accessory drive through and 8 multi-product fuel dispensers. They received zoning approval in the form of dimensional variances from the Zoning Hearing Board last year. That was for impervious coverage, parking setbacks, signage, distance between motor vehicle fueling stations, trash facilities, air pumps, and to not provide cluster planting 4 ft. in height and 10 ft. in width between parking areas and lot lines or street lines. We are seeking two Conditional Use approvals this evening - one for the motor vehicle fueling station and the second for the accessory drive through. Exhibits include: Tab 1 - Affidavit of notification of Conditional Use application, the letter amendment of Conditional Use application and hearing to abutting property owners; Tab 2 – Conditional Use application with addendum, Rezoning ordinance subdivision approval resolution, and Zoning Hearing Board decision; Tab 3 - Letter amendment to the Conditional Use application; Tab 4 – Curriculum Vitae of Justin Geonnotti of Dynamic Engineering; Tab 5 – Aerial photographs; Tab 6 – Render Conditional Use plan and overall site plan; Tab 7 - Building elevation with floor plan and trash enclosure and canopy elevation; and Tab 8 – Curriculum Vitae of Corey Chase, Professional Traffic Engineer with Dynamic Traffic, Inc. Ms. Von Spreckelsen explained Mr. Geonnotti's background and experience. Mr. Clarke said according to the CV of Justin Geonnotti, he should be considered an expert in this matter. Mr. Geonnotti provided an overview of the proposed project. The existing shopping center was recently subdivided. As part of this application, the existing restaurant is proposed to be demolished. It has means of egress and ingress as a right-hand turn off of Lincoln Highway and full access off of Arleans Avenue which will be modified. There are no storm water facilities on the property and minimal landscaping and its neighboring properties are all commercial. The proposed project will be a WAWA with canopy and fuel sales. We are also proposing for the WAWA to have a drive-through. There are 44 parking spaces. As part of this application, we are proposing full storm water management and landscaping and buffering around the property. They are providing safe access for all pedestrians and traffic with

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designated pedestrian crosswalks from the store, parking stalls and the drive-through will not conflict with any of the internal or external movement of the drive-through facility. We are providing two lanes of stacking and it will have a full by-pass if they have to leave the drive-through lane. The fuel dispensing facility will be 8 fuel pumps with 16 fueling positions. The commercial property is over 2 acres in area and is consistent with the proposed improvements. They are providing well in excess of what is required on site. Ms. Von Spreckelsen said their next witness is Mr. Mike Redel who is the Real Estate Project Engineer. He is responsible for entitlements for new store construction and also WAWA's designated representative at municipal and state meetings. He has done this for over 150 stores that are open and many others. This WAWA will operate very similar to the other store in Falls with the addition of the drive-through. This drive-through will be attached to the store. The WAWA self-service will have at least one attendant on duty with unobstructed view of each pump and communication with each customer while they are open for business. There will be a service call button to provide for full-service option. There will be two air pumps at this location. Member Rocco asked how many parking spots there would be around the WAWA. Mr. Geonnotti said 44 spots on the WAWA property. There are 14 directly around the perimeter of the store plus another 17 within close proximity. Member Rocco said he is not sure this will be enough. Mr. Geonnotti said from an operational standpoint, we are confident that this will work. From a zoning standpoint, the ordinance requires 31 spots, and they are providing 44. Typically, you have your loading zone on one side of the store, there will be ADA parking in the front of the store, and additional parking in the rear. WAWA has a loading zone on the right if you are looking at it from Lincoln Highway and immediately adjacent to the drive-through will be 17 parking spaces. We provided walkways for access to the store. Member Rocco said it doesn't seem like a lot of parking spots for quick in and out access. You may have to park over on Arleans Avenue to get into the store. Mr. Geonnotti said they have 6-foot wide sidewalks along the entire length of Arleans Avenue for people who park along Arleans Avenue to get to the store. Member Rocco asked if they have considered a sidewalk on Lincoln Highway. Mr. Geonnotti said yes, they will be looking at that. They are improving the push buttons and increasing the sidewalk access there as well. Member Rocco asked if there were a reason why it isn't shown on this plan. Mr. Geonnotti said they are still working with PennDOT and it will be considered during the land development review. Mr. Jones said we will review that with PennDOT who will have to evaluate the safety of the sidewalk along Lincoln Highway. Mr. Jones agrees that sidewalks should be there and he thinks PennDOT will be in favor of that too. Member Boraski said the sidewalks are definitely a big point and appreciates them looking into this. The other question is about the fuel. Will you have diesel and gasoline? Ms. Von Spreckelsen said yes. Member Palmer said he was glad to see they added a second air pump. Regarding the Rt. 1 sidewalk, he thinks that is a must have. Member Galloway moved to close the Conditional Use Hearing for KA at Fairless Hills, LP, 500 Lincoln Highway; Member Palmer seconded the motion; all board members were in favor. (5-0) Member Galloway moved to approve the Conditional Use for KA at Fairless Hills, LP, 500 Lincoln Highway, TMP # 13-017-109; Member Palmer seconded the motion; all board members were in favor. (5-0) Mr. Clarke suggested doing a roll call vote. Member Galloway moved to open public comment; Member Palmer seconded the motion; all board members were in favor. (5-0) Ms. Toni

Battiste asked about a creek that runs between Pennsylvania Avenue and Gloucester Road and if a gasoline leak would affect that creek. Ms. Von Spreckelsen said they use double wall tanks and WAWA has never had a leak. Mr. Redel said they are very conscious of the environment. They have all state-of-the-art equipment with double wall tanks, double wall piping and sensors in the tanks and piping. Everywhere there is a junction there is a containment unit so if that joint breaks, there is a sensor that will alarm us right away and this is the same at the pump itself. If the hose that goes into your car gets ripped off, there is a shear valve that closes off immediately. Then we have belts and suspenders so if someone spills fuel on the ground we respond. If it is less than 5 gallons our store people get out right away. There is equipment at each island and equipment to surround and then soak up the fuel and then we call in for hazardous waste removal. If it is something worse, we have an environmental company that we call who get to the site within two hours and they will chase it down for as far as they need to. That is an extremely rare instance. We have those measures in place just in case. The sensors are monitored in the store and at our headquarters 24 hours per day. We definitely do not want to impact the environment. Mr. Geonnotti said the WAWA is downstream from the site the caller inquired about. Mr. Clarke said this is a motion to approve the Conditional Use application. Member Galloway moved to approve the Conditional Use application for both Conditional Uses at KA at Fairless Hills, LP, 500 Lincoln Highway, TMP # 13-017-109; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 3    CONSIDER ADOPTING PARKS ORDINANCE CHAPTER 168 –  
UPDATING SECTION 17 REGARDING BOATING REGULATIONS,  
USE OF FLOATATION DEVICES AND PROHIBITING WADING;  
UPDATING SECTION 20 PROHIBITING THE RELEASE OF  
HELIUM BALLOONS AND AERIAL LUMINARY LANTERNS IN  
TOWNSHIP PARKS; CONTAINING A SAVINGS CLAUSE AND  
PROVIDING FOR AN EFFECTIVE DATE**

Member Boraski is okay with approving the ordinance but wants to remove or table the personal floatation device part of the ordinance. Chairman Dence moved to table this agenda item; Member Rocco seconded the motion; all board members were in favor. (5-0)

**ITEM # 4    CONSIDER ADOPTING HAZARDOUS SUBSTANCE ORDINANCE  
CHAPTER 139 – DEFINING RESIDENTIAL HEATING OIL  
STORAGE TANK; ADDING A REQUIREMENT TO OBTAIN A  
RESIDENTIAL MECHANICAL PERMIT TO REMOVE OR  
ABANDON A RESIDENTIAL HEATING OIL STORAGE TANK;  
ADDING A REQUIREMENT TO PERFORM A SOIL SAMPLE AND  
ANY NECESSARY REMEDIATION; CONTAINING A SAVINGS  
CLAUSE AND PROVIDING AN EFFECTIVE DATE**

Ms. Gallagher said this ordinance would make this consistent with the township's current practice. If an underground heating oil tank is being removed, we require soil samples and a

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permit. This brings the ordinance in line with that procedure. Member Galloway moved to approve Ordinance # 2021-3, adopting a Hazardous Substance Ordinance Chapter 139 – Defining Residential Heating Oil Storage Tank; Adding a Requirement to Obtain a Residential Mechanical Permit to Remove or Abandon a Residential Heating Oil Storage Tank; Adding a Requirement to Perform a Soil Sample and Any Necessary Remediation; Containing a Savings Clause and Providing an Effective Date; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 5    CONSIDER ADOPTING TAXATION ORDINANCE CHAPTER 198 –  
UPDATING SECTION 28 BY ELIMINATING THE \$2.00  
MECHANICAL DEVICE TAX DISCOUNT; CONTAINING A  
SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE**

Member Galloway moved to approve Ordinance # 2021-4, adopting Taxation Ordinance Chapter 198 – Updating Section 28 by Eliminating the \$2.00 Mechanical Device Tax Discount; Containing a Savings Clause and Providing for an Effective Date; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 6    CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR  
ORDINANCE AMENDING ITS EFFECTIVE DATE OF THE NON-  
UNIFORM PENSION PLAN ADMINISTERED BY THE  
PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT  
TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL  
RETIREMENT LAW; AGREEING TO BE BOUND BY ALL  
PROVISIONS OF THE PENNSYLVANIA MUNICIPAL  
RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO  
MEMBER MUNICIPALITIES**

Ms. Gallagher said this is an ordinance regarding the Township's PMRS retirement system. One of our unions has switched over to this PMRS retirement system along with the non-uniform employees from the ICMA retirement system. This will update the effective date to be January 1, 2021 rather than April of 2020. Chairman Dence said this is already approved; we are just changing the date on it. Member Galloway moved to authorize advertisement for Ordinance amending its Effective Date of the Non-Uniform Pension Plan administered by the Pennsylvania Municipal Retirement System pursuant to Article IV of the Pennsylvania Municipal Retirement Law; agreeing to be bound by all providing of the Pennsylvania Municipal Retirement Law as amended and as applicable to Member Municipalities; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 7    CONSIDER RESOLUTION ADOPTING THE PENNDOT  
MAINTENANCE SERVICES LITTER COLLECTION AGREEMENT**

Chairman Dence said this is an agreement with PennDOT so we can clean up trash on their roads. Member Rocco said PennDOT would not allow us to clean up state roads unless we

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adopt this resolution. Member Galloway moved to approve Resolution # 2021-12, adopting the PennDOT Maintenance Services Litter Collection Agreement; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 8 CONSIDER RESOLUTION FOR THE SEWAGE FACILITIES PLANNING MODULE FOR J.G. PETRUCCI TRACT – TMP # 051-001-028**

Mr. Jones said this resolution for approval of the planning module. When a developer wants to increase the capacity to a treatment plant, they go through the DEP for their approval. A step along the way is for the township to accept the paperwork and pass a resolution accepting those additional flows. Member Palmer asked if they are asking for more flow based on what that plant already has. Mr. Jones said yes. Because of the new development at the KIPC, they have to get sewage capacity allocated so the plant needs to take a little more. We think those plants are acceptable to receive it. It is typical for new developments to go through this process. Member Galloway moved to approve Resolution # 2021-13 for the Sewage Facilities Planning Module for J.G. Petrucci Tract – TMP # 051-001-028; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 9 CONSIDER THE PURCHASE OF POOL CHEMICALS AND SUPPLIERS FOR THE PINWOOD POOL THRU BUCKS/MONT AQUATIC CONSORTIUM**

Member Galloway moved to enter into the agreement for the Bucks/Mont Aquatic Consortium for the bid for chemicals for the 2021 season; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 10 CONSIDER UPDATED INDEMNITY AGREEMENT WITH DRIFTWOOD WATER ADVENTURES**

Chairman Dence said this is the agreement with Driftwood Water Adventures who rent out the boat and kayaks at the community park. We have a great relationship with them. Mr. Robert Moyer was present for any questions. Member Boraski asked about the duration of this agreement. Ms. Gallagher said it is one year. The agreement is drafted to run Memorial Day to Labor Day. Member Galloway moved to approve the indemnity agreement with Driftwood Water Adventures; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 11 MINUTES – MARCH 15, 2021**

Member Galloway moved to approve the minutes from March 15, 2021; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 12 ENGINEERS REPORT**

Mr. Jones said during the month of March, there were five new earth development submissions, one new land development submission, and one cell tower permit application submission. The New Falls Road, St. Joseph project, is in the punch list process and is moving along as well as the WG Lincoln Properties. AirGas is operating under a temporary CO and they had some grass to grow and some minor things. Mylars are ready for signature for NorthPoint. The Lincoln Storage and the KA Fairless Hills will be before the Planning Commission next week. The Tyburn Road Associates small warehouse addition will be at the May Planning Commission. For Earth Disturbance, the stone yard on Tyburn Road has been completed. The new projects are under review or approved. The Quaker Penn Park docks were installed on Monday. The 2020 Road Program is wrapping up in the Hedgerow Woods section. For the 2021 Road Program, Elderberry Drive, we sent the advertisement to the Manager's office today so that project is out to bid. Member Galloway moved to accept the Engineers Report; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 13 BILL LIST**

Member Rocco gave a summary of the bill list. Member Galloway moved to approve the bill list in the amount of \$2,192,994.49; Member Palmer seconded the motion; all board members were in favor. (5-0)

**ITEM # 14 EXECUTIVE SESSION**

Mr. Clarke said the board held an Executive Session on April 7, 2021 to discuss personnel matters and the board also held an Executive Session prior to tonight's meeting to discuss personnel matters.

**ITEM # 15 POLICE DEPARTMENT REPORT**

Chief Whitney provided the following updates:

- A. During the month of March, there were 20 out of 62 shifts where manpower was at or below minimum staffing for at least part of the shift. This amounts to 32% of the time in March. This is down from 37.5% in February. The objective is to be at minimum staffing no more than 25% of the time.
- B. There were 6 overdoses in March; 18 year to date. There were 0 fatal overdoses for the year; this number will probably change once we get the final report from the Coroner's office. There were 1,745 calls for service for the month of March; 4,802 year to date. There were 225 medical calls in March; 667 year to date. There were 90 traffic accidents in March; 275 year to date and 68 arrests in March; 181 to date.
- C. Chief Whitney provided information on township hotels and motels.
- D. Chief Whitney provided an update on catalytic converter thefts.
- E. There was an incident involving an ex-Amazon employee who made threatening

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comments and an arrest warrant was obtained. An arrest was made after a stabbing at an elementary school. There were two fatal overdoses within an hour at the Red Roof Inn. Night shift patrols have increased in Fallsington after report of gunshots. There were two arrests for other incidents.

- F. The Certified Recovery Specialists have handled about 30 cases and a third are in the process of being placed into treatment and being evaluated.
- G. There will be two shredder events for township residents. The dates are April 24<sup>th</sup> and October 30<sup>th</sup>. The Drug Take Back event will be held on April 24<sup>th</sup>.

Member Rocco asked if the overdoses are the result of heroin. Chief Whitney said yes, they are related to heroin. Regarding the catalytic converter thefts, Chief Whitney said we have an ordinance that requires businesses in town that deal with metals and precious metals to use an online reporting system. We asked five additional companies who are in town that accept metals to abide by our ordinance and report online so we can try to determine who is recycling and, from the data, who is scrapping these catalytic converters. We gave them until the end of this month, and we hope they comply. Member Boraski said it looks like numbers are rising. Chief Whitney said arrests are up from prior to COVID. We pulled back on traffic enforcement in 2020. He thinks we will be back there by the summertime. Those numbers are definitely down. The calls for service are back to pre-COVID levels. Member Palmer asked about the shredder event and if the company removes papers from the boxes to shred or if they put the whole box into the shredder. Chief Whitney said he thinks the documents get shredded first and then they deal with the box. Member Rocco said you dump them into a bin and then the bin gets dumped into the shredder. It is only paper not CD's. Member Palmer said the Red Roof is a hot spot. Are they residents or mostly from other communities? Chief Whitney said they are local people but do not tend to be Falls Township residents. Member Palmer asked if you are able to get the county involved as a task force to enforce this. The Red Roof Inn seems to be the hot spot for Falls Township. Chief Whitney said every overdose we have is reported to the Bucks County Task Force and our officers work with them all the time.

### **ITEM # 16 MANAGER COMMENT**

- A. Member Galloway moved to approve the Invoice Cloud contract; Member Palmer seconded the motion; all board members were in favor. (5-0) This is for billing services relating to the digital permit processing system.
- B. Member Galloway moved to approve the escrow release for 55 East Post Road in the amount of \$735; Member Palmer seconded the motion; all board members were in favor. (5-0)
- C. There will be a Bulk Disposal Day on Saturday, April 24<sup>th</sup>, 7 a.m. to 11 a.m., at 1000 New Ford Mill Road.
- D. On Saturday, April 24<sup>th</sup> from 10 a.m. to 2 p.m. there will be a Drug Take Back Collection Day. This coincides with the Shredder Event.



**ITEM # 17 BOARD COMMENT**

Member Palmer moved to appoint Mr. Leon Thompson to a 5-year term on the Neighborhood Traffic Advisory Committee; Member Boraski seconded the motion; all board members were in favor. (5-0) Member Palmer congratulated the Public Works Department. They are really taking the community back from the littering. The littering has been really bad and they are doing a great job.

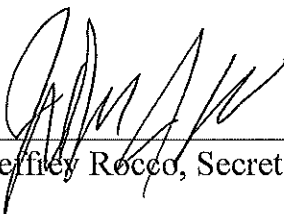
Member Galloway – no comment.

Member Boraski said earlier when we tabled the ordinance for the park, he wanted to be clear regarding life jackets and wants to see the township follow PA state law requiring life jackets on vessels under 6 feet only and between the months between November and April.

Member Rocco – no comment.

Chairman Dence echoed what Member Palmer spoke about. We passed an ordinance to go out on roads and pick up trash. The Public Works crew is doing a great job. Now that we can go on state roads, we can cut back bushes to help police with the speeding problem, especially with the speeding on Rt. 1 Super Highway and Rt. 13. It does more than just the trash. Historic Fallsington will have a Spring Open House from 11 a.m. to 3 p.m. on Saturday, May 1st and a yard sale from 8 a.m. to 12 p.m. There will be historians around different locations and it is a great little spot in our township. It is getting warmer and the days are longer. Kids are out everywhere. Please be careful driving around.

Member Galloway moved to adjourn the meeting; Member Palmer seconded the motion; all board members were in favor. (5-0) The meeting was adjourned at 8:06 p.m.



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Jeffrey Rocco, Secretary

