

**BRISTOL TOWNSHIP
2501 BATH ROAD
BRISTOL, PA 19007**

MARCH 15, 2012

COUNCIL MEETING

President Lewis called the meeting to order at 7:18 P.M.

President Lewis announced that Personnel and Litigation were discussed in the Executive Session.

Roll Call:

Ms. Longhitano	Present
Mr. Bowen	Present
Mr. Tucker	Present
Mr. Pluta	Present
Mr. Glasson	Present
Vice President Brennan	Present
President Lewis	Present

Motion by Vice President Brennan to approve the outstanding voucher list and requisitions for March 15, 2012. Second by Ms. Longhitano.

Motion carried by a vote of 5-0, with Mr. Pluta and Mr. Tucker abstaining.

Motion by Ms. Longhitano to approve minutes from the February 15, 2012 Council Meeting. Second by Mr. Bowen.

Motion carried by a vote of 5-0, with Mr. Pluta and Mr. Tucker abstaining.

REPORT FROM TOWNSHIP MANAGER:

Mr. McCauley said The Street Sweep Program has begun, and the schedule is on the website.

Next month PECO will begin their tree trimming project in Bristol Township. They will

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trim along their wires. The project will continue through August.

The Township Window Project is complete.

The Township workers assisted Armour with installing the lights in the parking lot that were moved from Route 413 this was part of a Casino Grant.

Mr. McCauley negotiated with BIU, the former Inspection Company, regarding the open permits. Mr. McLaughlin was looking for \$93,219.00 he settled for \$74,275.00. The Township saved almost \$19,000.00 of what he was seeking.

Mr. Pluta questioned if all the lights were operational now.

Mr. McCauley said for tonight only. He managed to have them all lit for the Council.

REPORT FROM TOWNSHIP SOLICITOR:

No report.

COUNCIL ITEMS:

Stone and Asphalt Bid: Mr. McCauley said the recommendation from the Director of Public Works is that Council accept the bids for stone from Eureka Stone Quarry, Inc., and also the low bids for the super pave 9.5 mil and super pave 25 mil asphalt from Miller Materials. They are all the low bid and it was a joint bid from the Bucks County Consortium.

Motion by Mr. Tucker to approve the bid from Eureka Stone Quarry, Inc for stone, and Miller Materials for the 9.5 mil and 25 mil super pave asphalt. Second by Mr. Pluta.

Motion carried by a vote of 7-0, unanimous.

Sign and Post Bid: President Lewis said the recommendation from the Director of Public Works is to accept the lowest price from each category from Garden State and Custom Products.

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Motion by Ms. Longhitano to accept the lowest bids from Garden State and Custom Products for the Sign and Post Bid. Second by Mr. Tucker.

Motion carried by a vote of 7-0, unanimous.

Mr. Flager said the Township has had an agreement with the City of Burlington to share Fire Service Resources for years. Because of Insurance they are asking for a formal agreement.

Motion by Mr. Glasson to approve the agreement between Bristol Township and the City of Burlington, New Jersey for the purpose of Mutual Sharing of Fire Service Resources to allow their Fire Departments to provide Manpower and Apparatus. Second by Mr. Tucker.

Motion carried by a vote of 7-0, unanimous.

Motion by Ms. Longhitano to appoint Mr. McCauley as Lead Negotiator for Bristol Township for Negotiations of New Collective Bargaining Agreement with Police Benevolent Association. Second by Mr. Bowen.

Motion carried by a vote of 6-0, with Mr. Pluta abstaining

Mr. Pat Harvey Attorney from the Law Firm Ballard Spahr was present to address Council about the appointment of the Act 111 Arbitrator, Mr. Ken Jarin, also from Ballard Spahr, and the appointment of his firm Ballard Spahr as Special Labor Counsel. They submitted a proposal for Special Labor and Employment Counsel. Mr. Jarin has been an arbitrator for over 30 years. He is the arbitrator for Philadelphia and about 50 Municipalities throughout Pennsylvania. The Act 111 process under the Pennsylvania Law involves the appointment of an arbitrator by the Police, and appointment of an arbitrator by the Township. The 2 arbitrators would review a list of arbitrators from the American Arbitration Association, and a third arbitrator will be selected.

Ballard Spahr specializes in this work and has a labor department of over 30 attorneys. If Council hires this firm they will bring a lot of experience to the Township.

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Vice President Brennan said the Township is in financial distress. The Township going into this negotiation is huge and could make or break the Township. The residents must be assured that we have the best arbitrator and special counsel firm that can help us. He questioned Mr. Harvey how the Township can feel confident that his firm can help us.

Mr. Harvey said his firm has an established track record. If Council were to hire them they would only hear good words about the Municipal Employees and Police they have. There are a lot of Municipalities struggling and when you have \$77,000,000.00 in unfunded liability regarding post retirement health care and pension debt; his company has a great track record. He listed the names of other Municipalities his firm has helped and told Council they should contact them to see what they have done for them.

Mr. Obert questioned if this falls under Professional Services and does not have to go out to bid.

Mr. Flager said yes it is Professional Service to hire a lawyer.

Mrs. Tarlini asked is the cost an hourly fee or a set fee.

Mr. Harvey said it is an hourly fee with no retainer it is billed for services done at an hourly fee of \$375.00 an hour for Mr. Jarin. The Special Arbitrator's fee is \$325.00 an hour and the Associates fees are \$275.00 an hour.

Mr. Retzler said it was mentioned that Governor Rendell had hired this firm. He questioned when Mr. Rendell left office was he hired by this law firm.

Mr. Harvey said that was correct.

Motion by Mr. Glasson to appoint Mr. Ken Jarin as Township Arbitrator for Contract Negotiations with Bristol Township Police Benevolent Association in Accordance with Act 111 of 1968. Second by Mr. Bowen.

Motion carried by a vote of 7-0, unanimous.

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Motion by Mr. Tucker to appoint Ballard Spahr as Special Labor and Employment Counsel. Second by Vice President Brennan.

Motion carried by a vote of 7-0, unanimous.

Motion by Mr. Tucker to approve agreement between Bristol Township and the Lower Bucks Joint Municipal Authority for the Installation of a Security Camera and Provision of Electricity on a Tower at the Bloomsdale Pumping Station. Second by Mr. Pluta.

Motion carried by a vote of 7-0, unanimous.

OTHER:

Mr. Pluta said at the last meeting he had a couple of questions about the Sewer Department for the Manager and asked if we had an update on them. He said, also at the end of March there are two reports due for the Consent Decree and questioned who was working on them.

Mr. McCauley said he does not recall the questions, if Council would like a report he will be happy to submit one. He is not prepared for it this evening. He spoke with Mr. Sacco yesterday and we are right on schedule with all reporting requirements. The Township is getting ahead on the Consent Order Compliance.

Mr. Pluta said on March 31st there is a deadline for an Annual Report and a Chapter 94 Report. The Township has two Sewer Engineers and questioned who will be doing what.

Mr. McCauley said the Engineer who has been on the Consent Order for the last several years has been working with Mr. Sacco on that report. The Engineering Firm appointed by Council is handling the Chapter 94 Report, since that is not related to the Consent Order.

President Lewis said there are some vacancies coming up on the Zoning Hearing Board, the Planning Commission and the Street Committee. The Zoning Hearing Board appointments are for five years and the Planning Commission is four years. If anyone

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would like to apply they should submit a short resume to the Township Manager and Council will consider them. There is no resume needed for the Street Committee just submit your name to the Manager.

Mr. Tucker questioned who is responsible to repair the lights at the recreation fields.

Mr. McCauley said if the Township owns the facility he would assume the Township would be responsible. The Township does spend a lot of money on the lights so if the Township is called they will repair the lights.

OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL:

Mr. Obert of Farmbrook asked if the Township can get the road barriers picked up across from the Senior Building. Haines Road the guard rail was taken down and it is a safety issue. There has been an issue with the lights at the field if it is Township or School property. Mr. Obert questioned if we have \$77 million dollars of unfunded liability, because it was \$66,000,000.00 at the presentation.

Mr. McCauley said since the time he made the presentation our other post employment benefits went from 67 million dollars to 77 million dollars based on the December 31, 2011 Gatsby Report we have 4 million in unfunded liability in the Police Pension Fund and 3 million in unfunded liability for the accrued leaves. That is 84 million dollars. Other municipalities have reserves. The Township is supposed to have 17 million dollars reserved as of right now we have zero.

Mr. Obert said the car allowance should be turned into a purchased car for the Township, then make payments monthly of \$375.00. Then at the end of that the Township owns the car.

Mr. Al Angelini of Iva Lane commented on the gloom and doom report and questioned if there is an action plan to develop revenue streams. Manufacturing Companies are coming back from China. He said the Township has to come up with a strategy to target businesses.

Mr. Glasson said that he is exactly correct; this is the direction that they want to go.

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Mr. McCauley said with economic development you will not see revenue for five years. This Council has four new members, who are business owners that understand the concept of encouraging development and add to the assessment of the community. Air Gas will be moving into a larger property on the Green Lane Property with 200 jobs. The first job of economic development is to not lose any jobs, and that is what Council is going to do.

Mr. Angelini said the Township has location here and we should try to sell it.

Mr. Tom Kralle said coming off I-95 there is a tractor trailer parked on the side of the road on Rt. 413. Penn Valley Rd and Arthur Ave. there is a tractor trailer parked for months. He requested Council do something about it.

President Lewis said he will have the manager forward that to the appropriate people.

Mrs. Linda Tarlini said all elected Council Members look for new development. The ornamental lights look good outside, but she believes the Casino Grants were for solar lights for the parking lot. She questioned if that Grant was modified.

Mr. Young said there are two Grants. One is to retrofit lights on Rt. 413 to LED lights and the other one was to move the excessive lights from Rt. 413 to the parking lot.

Mrs. Tarlini said one of the Grants were for solar lights. Mrs. Tarlini said she was told the decorative flags that were removed from the auditorium were thrown out, and said that was disrespectful of the flag.

All of Council agreed that it was disrespectful.

Ms. Patti Nichols of Prospect Avenue asked when the bridge on Newportville Road was going to be reopened.

President Lewis said he knows that it is supposed to be opened in April.

Ms. Nichols asked when the news letter will be released.

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Mr. McCauley said the deadline for the articles are due in next week from the various departments. They will be putting it together.

Mr. Wes Retzler of West Bristol said he was glad that the Manager stressed the point that it has been less than 90 days for the new Council. The priority list to go by must be bringing money into the Township. Then find out where the money went.

Mr. Retzler said he read in the paper that Mr. Heckler asked for the Federal Investigation. He questioned if it was Mr. Heckler or did the Township Manager ask for that.

Mr. McCauley said he should ask Mr. Heckler that question.

Mr. Retzler said Bristol Borough received money from our Grants, and questioned if the Township would try to get it back from them.

Mr. Pluta said that the County applied for that Grant.

Mr. Retzler questioned why the Sewer Department was excluded from the Forensic Audit that was done on the Township.

Mr. Pluta said probably because at the time of the Forensic Audit the Sewer Department had an active Authority with their own budget.

Mr. Retzler spoke on School Buses.

Motion by Vice President Brennan to adjourn the meeting at 8:42 P.M. Second by Ms Longhitano.

Motion carried by a vote of 7-0, unanimous.

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- 1. Motion to approve the outstanding voucher list and requisitions for March 15, 2012.**
- 2. Motion to approve minutes from the February 15, 2012 Council Meeting.**
- 3. Motion to approve the bid from Eureka Stone Quarry, Inc. for stone, and Miller Materials for the 9.5 mil and 25 mil super pave asphalt.**
- 4. Motion to accept the lowest bids from Garden State and Custom Products for the Sign and Post Bid.**
- 5. Motion to approve the agreement between Bristol Township and the City of Burlington, New Jersey for the purpose of Mutual Sharing of Fire Service Resources to allow their Fire Departments to provide Manpower and Apparatus.**
- 6. Motion to appoint Mr. McCauley Lead Negotiator for Bristol Township for Negotiations of New Collective Bargaining Agreement with Police Benevolent Association.**
- 7. Motion to appoint Mr. Ken Jarin as Township Arbitrator for Contract Negotiations with Bristol Township Police Benevolent Association in Accordance with Act 11 of 1968.**
- 8. Motion to appoint Ballard Spahr as Special Labor and Employment Counsel.**
- 9. Motion to approve agreement between Bristol Township and the Lower Bucks Joint Municipal Authority for Bloomsdale Pumping Station.**
- 10. Motion to adjourn the meeting at 8:42 P.M.**

**Respectfully submitted by
Betsey Kelly
Secretary**