

# BRISTOL TOWNSHIP

2501 BATH ROAD  
BRISTOL, PA 19007

APRIL 17, 2014

COUNCIL MEETING

President Lewis called the meeting to order at 7:05 pm.

Roll Call:	Mr. Bowen	Present
	Mr. Glasson	Present
	Ms. Longhitano	Present
	Mr. Monahan	Present
	Ms. Murphy	Present
	Vice President Brennan	Present
	President Lewis	Present

Council President Lewis stated that monthly reports are available for review in the Township Manager's Office and public comment on land development and official action items will be taken, as well as general comments will be taken during opportunity for residents to address the council. President Lewis stated matters of personnel and litigation items were discussed in the executive session.

## VOUCHER LIST & MINUTES

- A. Call for a motion to approve the outstanding voucher list and requisitions for April 17, 2014.

Motion by Mr. Monahan and seconded by Mr. Glasson to approve the outstanding voucher list and requisitions for April 17, 2014.

*Motion carried unanimously by a vote of 7-0.*

- B. Call for a motion to approve minutes from the Council Meeting on March 26, 2014.

Motion by Mr. Glasson and seconded by Mr. Bowen to approve the minutes from the Council Meeting on March 26, 2014.

*Motion carried unanimously by a vote of 6-0. Councilwoman Longhitano abstaining due to her absence at the prior meeting.*

COMMENDATIONS, PRESENTATION and REPORTS

- A. President Lewis presented certificates of commendation to the Mathias Family of Indian Creek and Mrs. Emma Dombrowski of Orangewood and presented both families with a \$50.00 gift certificate to Bottom Dollar for their exemplary recycling efforts.

Mr. Scott Swichar introduced Ms. Patty Barthel, the community relations coordinator for Waste Management. Ms. Barthel reminded residents that after May 1 all trash must be inside the approved cart or it would not be collected, one bulk item per week per household may be placed at the curb for pick up, bulk items with CFC or refrigerant will not be picked up with the trash, and residents should contact Waste Management for scheduled pick up of these items. Ms. Barthel reminded residents to call customer service if they need a second cart at the cost of \$10.00 a month, which would be billed directly to the resident. Township Manager McCauley suggested that residents contact Scott Swichar if they are having difficulty with just one container.

Mr. Monahan questioned whether residents with special needs would receive smaller roll carts. Ms. Barthel informed that the smaller carts are available from the Township. Mr. Monahan stated that there might have been more requests for smaller containers than anticipated. Mr. McCauley stated that the Township responded to all requests in a timely fashion, but might have been overly lenient with distributing carts to individuals that did not necessarily need them. Mr. McCauley stated that the Township is evaluating the possibility of distributing larger recycling containers. Ms. Longhitano requested trash containers for 800 Coates Avenue. Mr. McCauley stated that trash containers can only be provided for residential properties and that trash disposal is their responsibility under the lease. Mr. Bowen questioned whether a resident should contact the Township if they need a second container. Ms. Barthel stated that residents should contact Waste Management customer service. Yard waste will be collected in rigid containers or paper bags from April 15 through November 30, 2014. Ms. Barthel reminded residents that there is no limit on recycling. Township resident Chuck Clayton commended Waste Management for doing an excellent job.

Mr. Scott Swichar stated that that residential recycling is required by Ordinance and State Law. Swichar stated that yard waste must be in rigid containers or biodegradable paper bags and not placed in plastic bags. Branches should be no larger than 4 foot and bundled, and there are no limits on yard waste. Mr. Swichar mentioned that electronics are not collected with regular trash, but could be recycled at no cost at the Township building.

- B. Mr. Ernie Nocito discussed the 16<sup>th</sup> annual Courier-Sesame Place Classic on May 18, 2014 to be held for the third year at Bucks County Tech and Conwell Eagan campuses. Mr. Nocito announced that there will be a 5K, 1 mile Fun Run and a sprint for younger participants, along with free parking at Conwell Eagan.
- C. Township Manger McCauley presented an overview of the results of 2013 Financial Operations. Highlights of the presentation include finishing 2013 with a cumulative \$8,087,175 General Fund surplus, beating the projection by \$4,739,415; exceeding the budget projection for revenues by \$2,788,270; expenditures coming in \$1,951,145 under budget; ending the year with surpluses in all funds; paving 35 miles of Township highways; and reducing unfunded liabilities by \$10,752,953. Mr. McCauley thanked employees of Bristol Township for their efforts and doing more with less. The Manager stated that Township must invest in technology and continue to reduce costs and improve efficiency. Vice President Brennan thanked Manager McCauley for his efforts. (A copy of the presentation is attached to these minutes.)

### ORDINANCES AND RESOLUTIONS

- A. A Resolution of the Township of Bristol Approving the Transfer of Restaurant Liquor License NO. R-21068 into the Township from Tinicum Township: Consideration to Adopt.

Township Solicitor Randy Flager opened a Public Hearing at 8:03 pm to determine if the liquor license transfer request is in the best interest of the Township. Mr. Mark Kozar of Flaherty & O'Hara, representing Browns ShopRite on South Oxford Valley Road, requested a transfer of a liquor license by Resolution. Mr. Kozar stated that the transfer would not adversely affect the health and welfare of the community.

Mr. Monahan questioned if wine or beer would be served. Mr. Kozar stated that in addition to beer, wine would be sold as well. Councilman Glasson questioned why the transfer was from another Township rather than within Bristol Township. Mr. Kozar informed that no licenses were available for purchase within the Township. Councilwoman Longhitano questioned whether there is access to the store from the café. Mr. Kozar stated that there are walls, however the store includes access to the café.

Solicitor Flager stated that Browns ShopRite would agree to incur the cost of the re-advertising due to their absence at the last meeting.

Councilman Monahan stated that ShopRite is a respected business in the community and the opening of this café would create jobs and revenue.

President Lewis questioned if the hours of the store would change as a result of the café. Mr. Kozar stated that the hours would not change.

The Public Hearing for the Transfer of Liquor License R-21068 was closed at 8:15pm

Motion by Mr. Monahan and seconded by Ms. Murphy to approve a Resolution transferring restaurant liquor license No. R-21068 into Bristol Township from Tinicum Township.

Mr. West Rexler questioned why Council was concerned about building plans when the issue was related to a liquor license transfer.

Mr. Chuck Clayton stated that Browns ShopRite is extremely charitable in the community.

*Motion carried unanimously by a vote of 6-1, with Mr. Glasson voting no.*

- B. A Resolution of the Township of Bristol Authorizing the Adoption of the Vantagecare Retirement Health Savings (RHS) Plan: Consideration to Adopt.

Motion by President Lewis and seconded by Mr. Bowen to approve a Resolution authorizing the adoption of the Vantagecare Retirement Health Savings (RHS) Plan.

*Motion carried unanimously by a vote of 7-0.*

- C. A Resolution of the Township of Bristol Authorizing the Sale of the Following Surplus Equipment and Vehicles: Consideration to Adopt.

Motion by Ms. Murphy and seconded by Vice President Brennan approving a Resolution authorizing the sale of surplus vehicles.

*Motion carried unanimously by a vote of 7-0.*

- D. A Resolution of the Township of Bristol Adopting and Approving a Plan Revision from McDonald's USA, LLC to the Official Sewage Facilities Plan for Bristol Township: Consideration to Adopt.

Motion by Mr. Monahan and seconded by Mr. Bowen approving a Resolution of the Township of Bristol adopting and approving a plan revision from McDonald's USA, LLC to the official sewage facilities plan for Bristol Township.

*Motion carried unanimously by a vote of 7-0.*

- E. An Ordinance of the Council of Bristol Township Amending Chapter 160 (Sewers and Sewage Disposal), Article II, Sewer Rents and Discharge Regulations, Section 160-26, Approving Collection Procedures and Adopting Penalty , Interest and Schedule of Attorney Fees and Charges to be Added to the Amount Collected as Part of Municipal Claims for Delinquent Accounts: Consideration to Adopt.

Solicitor Flager stated that the Ordinance was advertised, and if Council approves the Ordinance then Portnoff would be able to collect delinquent sewer fees. Councilwoman Longhitano questioned whether residents with hardships would be able to retain their homes. Ms. Katherine DiAmico of Portnoff Law Associates discussed payment arrangements for hardship situations.

Motion by Mr. Glasson and seconded by Vice President Brennan approving an Ordinance amending Chapter 160 (Sewers and Sewage Disposal), Article II, sewer rents and discharge regulations, Section 160-26, approving collection procedures and adopting penalty, interest and schedule of attorney fees and charges to be added to the amount collected as part of municipal claims for delinquent accounts, and an agreement between Bristol Township and Portnoff Law Office to start recovering delinquent accounts.

Mr. West Rexler questioned if the bid was open to all law firms.

Township Solicitor Randy Flager stated that there is no bidding requirement for professionals and that the Township did their due diligence by meeting with three firms and found Portnoff Law Associates to be the best fit for Bristol Township.

*Motion carried unanimously by a vote of 6-0, with Councilwoman Longhitano abstaining.*

#### REPORT FROM TOWNSHIP MANAGER

Township Manager William McCauley stated that he had no formal report at this time.

#### REPORT FROM TOWNSHIP SOLICITOR

Township Solicitor Randy Flager stated that he had no formal report at this time.

NEW BUSINESS

- A. Proposal from Karen Duerholz, Vice-President, Boyle Construction Management Dated March 28, 2014 for Construction Management Services for the Bristol Township Administration Building and Public Works Facility: Consideration to Take Appropriate Action.

Township Manger McCauley introduced Mr. Tony Ganguzza of Boyle Construction, and stated that he had negotiated a reduction of \$28,000 in fees compared to the original proposal from Boyle Construction Management.

Motion by Mr. Monahan and seconded by Ms. Longhitano to approve the revised proposal from Karen Duerholz, Vice-President of Boyle Construction Management, dated April 14, 2014 for construction management services for the Bristol Township administration building and public works facility.

*Motion carried unanimously by a vote of 7-0.*

- B. Application of Debra Johnson for Final Subdivision Approval for 730 Dixon Avenue & 728 Newportville Road , Croydon, T.M.P. # 5-8-368 and # 5-8-369: Consideration to Take Appropriate Action.

Mr. Jonathon Tavis, of Acres Engineers and Land Surveyors, stated that this is a minor subdivision and lot line change, as the originally subdivided parcel and plans were never recorded at the time and subsequently the house was built on the lot line.

Township Engineer Larry Young stated that the parties had agreed to all the waivers and the Resolution mirrors the latest review letter and all conditions are will comply. Mr. Young stated that the lot line is being relocated and two lots will be created.

Motion by Ms. Murphy and seconded by Ms. Longhitano approving the application of Debra Johnson for final subdivision Approval for 730 Dixon Avenue & 728 Newportville Road, Croydon, T.M.P. # 5-8-368 and # 5-8-369.

Mr. West Rexler of West Bristol questioned why Council did not want to read the waivers. Vice President Brennan stated that the matter is a simple lot line change.

*Motion carried unanimously by a vote of 7-0.*

- C. Reaffirmation of Final Land Development Plan Approval of December 5, 2013 for Ralph Waldo Emerson Elementary School, T.M.P. #05-37-569 and #05-037-517 and Reaffirmation of Final Land Development of January 16, 2014 for James Buchanan Elementary School, T.M.P. #05-071-472: Consideration to Affirm.

Township Solicitor Flager read an email from Mr. Tim Duffy regarding the reaffirmation of the final land development plan, noting that the School District agrees with the approvals and is close to meeting all of the associated conditions of approval.

Motion by Mr. Glasson and seconded by Ms. Murphy to approve the reaffirmation of final land development plan approval of December 5, 2013 for Ralph Waldo Emerson Elementary School, T.M.P. #05-37-569 and #05-037-517 and reaffirmation of final land development of January 16, 2014 for James Buchanan Elementary School, T.M.P. #05-071-472.

*Motion carried unanimously by a vote of 5-2, with Ms. Longhitano and Mr. Monahan voting no.*

Township Manger McCauley reminded Council that the Bristol Township School District had submitted waiver requests for a reduction of permit fees back in August of 2013. However, they needed to wait to ascertain costs for the project. Mr. McCauley advised that Council that they could consider a 50% reduction in the building permit fee for the James Buchanan School from \$227,790 to \$113,895, if they so desired.

President Lewis asked the Manager if the Council could not act on this item and reconsider at another time. It was the consensus of the Township Council to defer action on this request.

D. Bids for 2014 Milling & Paving Program: Consideration to take Appropriate Action.

Township Engineer Larry Young announced that there was a public bid opening on April 10, 2014, for contract 13-12-001, and that loan funding would be used to pay for the paving. Mr. Young recommended the 38 roads go to the low bidder, James D. Morrissey in the amount of \$2,266,906.64 for the base bid as well as alternates 1-16.

Motion by Mr. Monahan and seconded by Ms. Longhitano to accept the low bid of James D. Morrissey in the amount of \$2,266,906.64.

*Motion carried unanimously by a vote of 7-0.*

E. Bids for 2014 Milling & Paving Program Liquid Fuels: Consideration to take Appropriate Action.

Mr. Young stated there was a public bid opening on April 10, 2014 for paving with liquid fuels funds, and recommends that the bid be awarded to the low bidder, James D. Morrissey, in the amount of \$353,188 for the base bid and four alternatives.

Motion by Mr. Glasson and seconded by Mr. Bowen to award the low bid to James D. Morrissey in the amount of \$353,188.00.

F. Bids for Stone and Asphalt: Consideration to take Appropriate Action.

Township Manager McCauley announced that the Township participated in the 2014 Bucks County Consortium joint bid for stone and asphalt. The recommendation of the Public Works Director was to accept the bid from Eureka Stone Quarry for stone and asphalt and to use H&K material for the cold patch material. Manager McCauley stated that the bid of Eureka Stone is .40 cents/ton greater than Barrett, however Barrett is not always open for business and has not had material available when needed.

Motion by Mr. Bowen and seconded by Mr. Monahan to accept the bid to Eureka Stone Quarry for stone and asphalt with the exception of H&K Materials for cold patch.

*Motion carried unanimously by a vote of 7-0.*

G. Bids for Fuel: Consideration to take Appropriate Action.

Township Manager McCauley provided a revised recommendation since the low bidder did not provide the appropriate bid bond, and the recommendation of the Public Works Director is to accept the low bid for No. 2 heating oil to Farm and Home Energy, ultra diesel to Superior, and unleaded regular to Papco Inc.

Motion by Mr. Glasson and seconded by Ms. Longhitano to accept the lowest responsible bids for fuel to Farm & Home Energy, Superior and Papco Inc. respectively.

*Motion carried unanimously by a vote of 7-0.*

H. Bids for Signs & Posts: Consideration to take Appropriate Action.

Township Manager McCauley recommended accepting the low bids for all items to be used by the traffic safety department from Garden State & Custom Products, US Municipal Supply and Chemung Supply.

Motion by Ms. Murphy and seconded by Vice President Brennan to accept the low bids for all items to be used by the Traffic Safety Department to Garden State & Custom Products, US Municipal Supply and Chemung Supply.

*Motion carried unanimously by a vote of 7-0.*

OTHER

Councilwoman Longhitano announced that her nephew was graduating from Fort Benning, Georgia on May 15<sup>th</sup> and requested that the next Council meeting not be held on his graduation day.



Councilman Bowen stated that he participated in the Opening Day ceremonies at the Levittown Pacific Little League. Mr. Bowen stated that it was a wonderful thing that the Council did helping Levittown Pacific with the lighting project at the baseball fields. He thanked the League's President, Rick Palmer, as well as the coaches and parents, for engaging the youth, and the wonderful work they were doing with Township youth.

Councilman Glasson announced that the fire houses in Bristol Township would be selling Easter flowers and asked the residents for their support.

#### OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL

Mr. Chuck Clayton of 70 Outlook Drive thanked Councilman Bowen and Philadelphia Carpenters for their donations to the Team Frankie.

Ms. Deb Fuso of Orchard Lane, stated that donations were not properly donated to this cause.

Mr. Brian Lachewitz of Fairless Hills, expressed his concerns with the Bristol Township School Board on their lack of transparency and encouraged the School Board to televise their meetings.

Mr. Al Angelini of Fairless Hills, welcomed the new members of Council and urged Council to not raise income taxes to 1%. Mr. Angelini congratulated the Township Manager and Council for doing an excellent job.

Councilwoman Longhitano stated that despite any requests of the School Board, Council would not raise income taxes to 1%

Councilman Bowen stated that House Bill No. 76, which would to eliminate the school tax, is being proposed in the House. He encouraged residents to communicate with their elected officials about the Bill.

Vice President Brennan thanked Mr. Angelini and Mr. Lachewitz for supporting the residents and the Township. Mr. Brennan stated that Council takes a private sector approach to their jobs and works hard to control costs and save tax dollars.

Mr. West Rexler of West Bristol questioned if the Team Frankie fraud issue had been reported to law enforcement. Mr. Rexler stated that School District meetings need to be televised.

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Ms. Catherine Gudknecht, of Goldenridge, stated that she is concerned about school board taxes and her ability to afford to stay in her home. She was concerned that if school district taxes increase, she would be forced to sell her house.

Mr. Joe Hogan questioned if the Township could provide the trash cans for 800 Coates Avenue. Township Manager McCauley explained that the Township's contract was for residential trash and recycling only. He encouraged the DV3 to contact Representative Tina Davis or Commissioner Marseglia as they have walking around money and always have a lot to say, so now they need to produce some results.

Motion by Vice President Brennan and seconded by all of remaining Council to adjourn the meeting.

*Motion carried unanimously by a vote of 7-0.*

The meeting was adjourned at 9:40 pm.

1. Approved the outstanding Voucher List and Requisitions for April 17, 2014.
2. Approved the Minutes from the Council meeting on March 26, 2014.
3. Approved a Resolution of the Township of Bristol Approving the Transfer of Restaurant Liquor License NO. R-21068 into the Township from Tinicum Township.
4. Approved the A Resolution of the Township of Bristol Authorizing the Adoption of the Vantagecare Retirement Health Savings (RHS) Plan.
5. Approved a Resolution of the Township of Bristol Authorizing the Sale of Surplus Equipment and Vehicles.
6. Approved a Resolution of the Township of Bristol Adopting and Approving a Plan Revision from McDonald's USA, LLC to the Official Sewage Facilities Plan for Bristol Township.
7. Approved An Ordinance of the Council of Bristol Township Amending Chapter 160 (Sewers and Sewage Disposal), Article II, Sewer Rents and Discharge Regulations, Section 160-26 and Approving Collection Procedures and Adopting Penalty, Interest and Schedule of Attorney Fees and Charges to be Added to the Amount Collected as Part of Municipal Claims for Delinquent Accounts and an agreement between Bristol Township and Portnoff Law Associates.
8. Approved the Revised Proposal from Karen Duerholz, Vice-President, Boyle Construction Management Dated April 14, 2014 for Construction Management Services for the Bristol Township Administration Building and Public Works Facility.
9. Approved the Application of Debra Johnson for Final Subdivision Approval for 730 Dixon Avenue & 728 Newportville Road, Croydon, T.M.P. # 5-8-368 and # 5-8-369.
10. Approved the Reaffirmation of Final Land Development Plan Approval of December 5, 2013 for Ralph Waldo Emerson Elementary School, T.M.P. #05-37-569 and #05-037-517 and Reaffirmation of Final Land Development of January 16, 2014 for James Buchanan Elementary School, T.M.P. #05-071-472.
11. Awarded the contract for 2014 Milling & Paving to James D. Morrissey at \$ 2,266,906.64.
12. Awarded the contract for 2014 Milling & Paving Liquid Fuels to James D. Morrissey at \$353,188.00.
13. Accepted the Bid for Stone & Asphalt from Eureka Stone Quarry and cold patch from H&K Materials.
14. Accepted the Low Bids for fuel from Farm & Home Energy, Superior and Papco Inc. respectively.

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15. Accepted the Low Bids for all items to be used by the Traffic Safety Department for Posts and Signs from each vendor respectively Garden State & Custom Products, US Municipal Supply and Chemung Supply.
16. Adjourned meeting at 9:40 PM.

Respectfully submitted,  
Tammy L. Hardy, Township Secretary