

BRISTOL TOWNSHIP
2501 BATH ROAD
BRISTOL, PA 1907

APRIL 19TH, 2012

COUNCIL MEETING

President Lewis called the meeting to order at 7:17 PM.

President Lewis announced that Personnel, Litigation, and Labor Relations matters were discussed in Executive Session.

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| Roll Call: | Mr. Bowen | Present |
| | Mr. Glasson | Present |
| | Ms. Longhitano | Present |
| | Mr. Pluta | Present |
| | Mr. Tucker | Present |
| | Vice President Brennan | Present |
| | President Lewis | Present |

VOUCHER LIST & REQUISITIONS AND MINUTES

Motion by Mr. Pluta to table the Voucher List & Requisitions due to having not received the amended list in a timely fashion. There was no second.

Motion by Vice President Brennan and seconded by Mr. Bowen to approve the Voucher List & Requisitions.

Mr. Pluta had question about a bill from Gilmore & Associates, pertaining to issuance of a sewer permit. Township Manager McCauley stated he believed that Gilmore was actually inspecting the street opening rather than the sewer work, but he was uncertain.

Amended Motion by Vice President Brennan and seconded by Mr. Bowen to approve the Voucher List & Requisitions, but to remove the Gilmore & Associates bill until further investigation takes place.

Motion carried by a vote of 6-1, Mr. Pluta voting no, and Mr. Glasson abstaining from one bill, #6190 on page 10.

Motion by Mr. Bowen and seconded by Mr. Glasson to approve the minutes from the April 5th Council Meeting.

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

BRISTOL TOWNSHIP COUNCIL MEETING
APRIL 19TH, 2012 CONTINUED

URS PRESENTATION OF ROUTE 13 IMPROVEMENT PROJECT

URS and PennDOT were represented by Mike Holva, Colleen Carmichael, and Rich Ames. The presentation outlined the landscape, streetscape, and traffic patterns augmentations along Route 13, Bristol Pike. PennDOT anticipates construction beginning in Fall 2012, and ending in Fall 2014.

Mr. Pluta had questions regarding the length of turning lanes. Mr. Pluta questioned PennDOT's ability to maintain the grass median outlined in the project. Mr. Pluta questioned the abandonment of the old jughandle properties. Mr. Holva explained PennDOT's definition of abandonment; ownership of the lands would inevitably revert to the Township or previous property owner.

President Lewis asked if maintenance of the proposed sidewalks would fall upon Bristol Township. Mr. Holva stated that the responsibility of maintenance would indeed fall upon the Township.

Mr. Bowen questioned if a study had been done indicating that jughandles were no longer sufficient.

Mr. Brennan questioned the Route 13 Improvement Plan's potential traffic impact and its impact upon business owners.

Mr. Brian Lachewitz of Concord Lane stated his displeasure with the proposed Route 13 Improvement Plan.

Mr. Al Angelini stated his displeasure with the proposed Route 13 Improvement Plan.

A resolution approving and authorizing execution of the PennDOT Landscape Maintenance Agreement for the Bristol Pike Reconstruction Project. Consideration to take appropriate action.

A resolution approving and authorizing execution of the PennDOT Sidewalk Maintenance Agreement for the Bristol Pike Reconstruction Project. Consideration to take appropriate action.

President Lewis questioned whether or not the Township could reject the Route 13 Improvement Plan outright. Solicitor Flager recommended to vote against authorizing both Maintenance Agreement resolutions.

BRISTOL TOWNSHIP COUNCIL MEETING
APRIL 19TH, 2012 CONTINUED

Motion by President Lewis and seconded by Mr. Longhitano to reject a resolution approving and authorizing execution of the PennDOT Traffic Signal Maintenance Agreement for the Bristol Pike Reconstruction Project.

Motion carried 7-0, unanimously.

Motion by President Lewis and seconded by Mr. Tucker to reject a resolution approving and authorizing execution of the PennDOT Landscape Maintenance Agreement for the Bristol Pike Reconstruction Project.

Motion carried 7-0, unanimously.

President Lewis recommended that PennDOT meet with concerned business owners and Township officials to attempt to arrange a better Improvement Plan that all parties involved agree upon.

Beau Pustiak of Fairless Hills stated his displeasure with the proposed Route 13 Improvement Plan.

Mark Evans of Evans Trucking stated his displeasure with the proposed Route 13 Improvement Plan.

Gallus Obert of the Farmbrook section stated his displeasure with the proposed Route 13 Improvement Plan.

John Saunders of the Kenwood section stated his displeasure with the proposed Route 13 Improvement Plan.

Township Council recessed at 8:50pm, and reconvened at 9:04pm.

ORDINANCES AND RESOLUTIONS

A RESOLUTION EXEMPTING REAL PROPERTY TAX, NET PROFITS TAX, MERCANTILE TAX AND BUSINESS PRIVILEGE TAX OF BRISTOL TOWNSHIP AT 2501 GREEN LANE, BRISTOL TOWNSHIP, DESIGNATED AS A PROPOSED KEYSTONE OPPORTUNITY EXPANSION ZONE IN ORDER TO FOSTER ECONOMIC OPPORTUNITY, STIMULATE INDUSTRIAL AND COMMERCIAL IMPROVEMENTS AND PREVENT PHYSICAL AND INFRASTRUCTURAL DETERIORATION WITHIN AN AREA OF THE BRISTOL TOWNSHIP SCHOOL DISTRICT, TOWNSHIP OF BRISTOL, AND COUNTY OF BUCKS, PENNSYLVANIA: Consideration to Adopt.

BRISTOL TOWNSHIP COUNCIL MEETING
APRIL 19TH, 2012 CONTINUED

Mr. Tom Hecker, an attorney, represented Green Lane properties. Mr. Hecker detailed what the designation of a Keystone Opportunity Expansion Zone would entail. Airgas wishes to expand their existing facility within the Township, and designating four lots at 2501 Green Lane as KOEZ sites would greatly benefit them doing so, as well as allowing them to keep their operations in the Township. Additionally, this designation would assist Green Lane Properties in attracting more businesses.

Mr. Pluta noted that Airgas would only be occupying one additional lot out of the four proposed KOEZ lots. The other three do not currently have prospective tenants.

Mr. Brian Lachewitz of Concord Lane stated his approval for the proposed KOEZ designation.

Mr. Ken Smith of Edgely inquired as to the way the proposed KOEZ lots would be taxed.

Motion by Mr. Bowen and seconded by Vice President Brennan to adopt A RESOLUTION EXEMPTING REAL PROPERTY TAX, NET PROFITS TAX, MERCANTILE TAX AND BUSINESS PRIVILEGE TAX OF BRISTOL TOWNSHIP AT 2501 GREEN LANE, BRISTOL TOWNSHIP, DESIGNATED AS A PROPOSED KEYSTONE OPPORTUNITY EXPANSION ZONE IN ORDER TO FOSTER ECONOMIC OPPORTUNITY, STIMULATE INDUSTRIAL AND COMMERCIAL IMPROVEMENTS AND PREVENT PHYSICAL AND INFRASTRUCTURAL DETERIORATION WITHIN AN AREA OF THE BRISTOL TOWNSHIP SCHOOL DISTRICT, TOWNSHIP OF BRISTOL, AND COUNTY OF BUCKS, PENNSYLVANIA.

Motion carried 7-0, unanimously.

Township Manager McCauley applauded Airgas for remaining in the Township and growing their business.

REPORT FROM TOWNSHIP MANAGER

Township Manager McCauley noted that yard waste collection has resumed. Additionally, he introduced Mr. Kahari Trawick of Republic Services, who attended the meeting to address any waste removal concerns from residents.

Mr. Ken Smith of Edgely stated his pleasure with Republic Service's efforts in the Township.

Mr. Brian Lachewitz of Concord Lane stated his pleasure with Republic Service's efforts in the Township.

BRISTOL TOWNSHIP COUNCIL MEETING
APRIL 19TH, 2012 CONTINUED

Mr. Wes Retzler of West Bristol stated his approval with Republic Service's efforts in the Township.

Mr. Tucker stated his approval with Republic Service's efforts in the Township.

Mr. Pluta stated his pleasure with Republic Service's efforts in the Township.

Mr. Andrew Mowenn of Grasspond Road stated his approval with Republic Service's efforts in the Township.

REPORT FROM TOWNSHIP SOLICITOR

Solicitor Flager reported the Zoning Hearing Board rejected the DiEgidio zoning application that involved an electronic billboard. This has since been appealed to Bucks County Court of Appeals, and Solicitor Flager recommended Council appoint Russ Sacco of Kwasny, Reilly & Sacco to represent Bristol Township in this matter.

Motion by President Lewis and seconded by Ms. Longhitano to appoint Russ Sacco of Kwasny, Reilly & Sacco to represent Bristol Township in the appeal of the Zoning Hearing Board's decision versus Joseph DiEgidio.

Motion carried 7-0, unanimously.

Solicitor Flager then reported the Zoning Hearing Board rejected the Bottom Dollar Grocery Store zoning application that included several variances. This has since been appealed to Bucks County Court of Appeals, and Solicitor Flager recommended Council appoint him to represent Bristol Township in this matter.

Motion by President Lewis and seconded by Ms. Longhitano to appoint Randall Flager of Flager & Yockey to represent Bristol Township in the appeal of the Zoning Hearing Board's decision versus Bottom Dollar Grocery Store.

Motion carried 7-0, unanimously.

BRISTOL TOWNSHIP COUNCIL MEETING
APRIL 19TH, 2012 CONTINUED

NEW BUSINESS

Bids for Improvements to Six Sanitary Pump Stations: Consideration to take Appropriate Action.

Township Manager McCauley recommended that Council reject all previously received bids and authorize the re-bidding of the project with a reduced scope of work. The new scope of work will include the three largest pump stations with the opportunity to add a fourth pump stations, subject to favorable pricing.

Mr. Pluta inquired as to how this affects the Consent Decree that Bristol Township has with the Environmental Protection Agency (EPA).

Township Manager McCauley stated that the Consent Decree did not require all of the pump stations to be repaired. He stated Mr. Russ Sacco has contacted the EPA and informed them that we have every intention of repairing all of the pump stations in the future, but currently Township funds do not allow for the immediate repair of all six.

Motion by Ms. Longhitano seconded by Mr. Glasson to reject all previously received bids and authorize the re-bidding of the sanitary pump station project with a reduced scope of work.

Motion carried 7-0, unanimously.

President Lewis raised the issue that Keystone Collections is charging penalties and interest on Earned Income Tax bills for 2011 to residents who had not paid the quarterly bill. President Lewis suggested that Council consider waiving the 2011 Earned Income Tax penalties and interest for residents who paid by April 15th, 2012.

Motion by Mr. Tucker seconded by Mr. Pluta to waive the 2011 Earned Income Tax penalties and interest for residents who filed their returns by April 15th, 2012.

Motion carried 7-0, unanimously.

Mr. Brian Lachewitz of Concord Lane agreed with Township Council's decision to waive penalties & interest for residents.

Mr. Gallus Obert of the Farmbrook section suggested that Council petition the state of Pennsylvania to investigate allowing contiguous states to deduct EIT from employee's paychecks.

BRISTOL TOWNSHIP COUNCIL MEETING
APRIL 19TH, 2012 CONTINUED

OTHER BUSINESS

President Lewis noted that National Prescription Drug Takeback Day will be held on April 28th at the Township Building from 10am-2pm, and at the County Library on New Falls Road from 10am-2pm as well.

President Lewis stated that Bristol Township Park and Recreation Department recently held the annual Easter Egg Harvest, and it was well attended. He also stated the Bristol Township Community Day will be held August 18th, and donations by businesses and residents are welcome.

President Lewis stated that several local firefighters and EMTs were presented with Life Saving Unit Citations. Their efforts are commended, and the Township and residents of Bristol thank them.

Mr. Pluta noted that with warmer weather comes more outside activity, and asked residents to please make sure to keep dogs leashed or secured in your yard.

Mr. Pluta requested that Council review two budget line items, 0141131020 and 0141131100, because they appear to be disproportionately higher than they should year-to-date.

Ms. Longhitano noted that voter identification is not required for primary elections but will be necessary in November. Ms. Longhitano is asking for local volunteers to assist the elderly and handicapped in obtaining voter registration. Please email Ms. Longhitano, Mr. Bowen, or Township Manager McCauley if interested.

PUBLIC COMMENT

Mr. Ken Smith inquired about the electric billing issue at the sewer plant, and also had additional comments regarding the Route 13 Improvement Plan.

Mr. Gerard Lykon of Lykon Automotive stated he will be donating a car to a Bristol Township resident who is in need. The link to the application will be available on Bristol Township's website, or on Mr. Lykon's website and shop.

Mr. Jim Baker of the Crabtree section had comments on a recent dog attack in Levittown, and proper animal control/police response.

BRISTOL TOWNSHIP COUNCIL MEETING
APRIL 19TH, 2012 CONTINUED

Mr. Brian Lachewitz of Concord Lane had comments regarding plant/vegetation management with regard to PECO.

Mr. Gallus Obert of Farmbrook had several concerns he presented to Council, including turnpike impact fees and the Township waste removal contract.

Mr. Wes Retzel of West Bristol commented on various matters.

Motion by President Lewis and seconded by Mr. Bowen to adjourn.
Motion carried 7-0, unanimously.

The meeting was adjourned at 10:47PM.

BRISTOL TOWNSHIP COUNCIL MEETING
APRIL 19TH, 2012 CONTINUED

1. Motion to approve the Voucher List & Requisitions, but to remove the Gilmore & Associates bill until further investigation takes place.
2. Motion to approve the minutes from the April 5th Council Meeting.
3. Motion to reject a resolution approving and authorizing execution of the PennDOT Traffic Signal Maintenance Agreement for the Bristol Pike Reconstruction Project.
4. Motion to reject a resolution approving and authorizing execution of the PennDOT Landscape Maintenance Agreement for the Bristol Pike Reconstruction Project.
5. Motion to adopt A RESOLUTION EXEMPTING REAL PROPERTY TAX, NET PROFITS TAX, MERCANTILE TAX AND BUSINESS PRIVILEGE TAX OF BRISTOL TOWNSHIP AT 2501 GREEN LANE, BRISTOL TOWNSHIP, DESIGNATED AS A PROPOSED KEYSTONE OPPORTUNITY EXPANSION ZONE IN ORDER TO FOSTER ECONOMIC OPPORTUNITY, STIMULATE INDUSTRIAL AND COMMERCIAL IMPROVEMENTS AND PREVENT PHYSICAL AND INFRASTRUCTURAL DETERIORATION WITHIN AN AREA OF THE BRISTOL TOWNSHIP SCHOOL DISTRICT, TOWNSHIP OF BRISTOL, AND COUNTY OF BUCKS, PENNSYLVANIA.
6. Motion to appoint Russ Sacco of Kwasny, Reilly & Sacco to represent Bristol Township in the appeal of the Zoning Hearing Board's decision versus Joseph DiEgidio.
7. Motion to appoint Randall Flager of Flager & Yockey to represent Bristol Township in the appeal of the Zoning Hearing Board's decision versus Bottom Dollar Grocery Store.
8. Motion to reject all previously received bids and authorize the re-bidding of the sanitary pump station project with a reduced scope of work.
9. Motion for Council to waive the 2011 Earned Income Tax penalties and interest for residents who paid by April 15th, 2012.
10. Motion to adjourn the meeting at 10:47 PM.

Respectfully submitted,
Keith S. Truman, Recording Secretary