

BRISTOL TOWNSHIP

2501 BATH ROAD
BRISTOL, PA 19007

JUNE 6, 2013

TOWNSHIP COUNCIL MEETING

President Lewis called the meeting to order at 7:02 pm.

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| Roll Call: | Mr. Bowen | Present |
| | Mr. Glasson | Present |
| | Ms. Longhitano | Absent |
| | Mr. Pluta | Absent |
| | Mr. Tucker | 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 during the meeting. In addition, residents may offer general comments at the end of the meeting under public comments. President Lewis stated Ms. Longhitano was excused due to being sick.

VOUCHER LIST & MINUTES

- A. Call for a motion to approve the outstanding Voucher List and Requisitions for June 6, 2013.

Motion by Mr. Glasson and seconded by Mr. Bowen to Approve the outstanding Voucher List and Requisitions for June 6, 2013.

Motion carried unanimously by a vote of 5-0.

Call for a motion to Approve the Minutes from the regular Council Meeting of April 18, 2013.

Motion by Mr. Bowen and seconded by Vice President Brennan to approve the Minutes from the Council Meeting of April 18, 2013.

Motion carried by a vote of 4-0, with Mr. Tucker abstaining.

PRESENTATION

- A. Resolution of Commendation for Rose Betker Honoring her for 50 Years of Dedicated Service as a Bristol Township Crossing Guard: Consideration to Adopt.

President Lewis read the commendation and presented it to Rose Betker who was accompanied by her daughter Joanne Lyons. A gift certificate to Georgine's was presented to Rose Betker as well.

Motion by President Lewis and seconded by the remainder of the Council to Approve a Resolution of Commendation for Rose Betker Honoring her for 50 Years of Dedicated Service as a Bristol Township Crossing Guard.

Motion carried unanimously by a vote of 5-0.

RESOLUTIONS

- A. A Resolution Authorizing and Approving a Settlement Agreement and Mutual Release Between the Lower Bucks County Joint Municipal Authority and Bristol Township: Consideration to Adopt.

Township Manager William McCauley introduced Mr. Russ Sacco, former Bristol Township Solicitor, currently the special Solicitor for the Water & Sewer Department who has been working diligently on the Settlement Agreement between Lower Bucks County Joint Municipal Authority and Bristol Township which dates back a court decision from the early 1990's.

Mr. Russ Sacco announced the asset purchase agreement with Aqua along with a Mutual Release between the Lower Bucks County Joint Municipal Authority and Bristol Township regarding the water system in the Newportville-Ferguson and Keystone Park area which was originally approved in December of 2011. The sale of the water system to Aqua deemed the township's water assets including but not limited to customers, piping and hydrants to be worth \$3.428,000.

Mr. Sacco reported that a court action was filed over a territorial dispute in the mid 1980's by LBCMJA, wanting Bristol Township and the former water authority to cease service to the Keystone Park area. This action eventually led a court to determine that the Township owned the piping, but LBCJMA had the territorial rights to the area, and could stop the Township from distributing service. Aqua, upon discovering this court decision requested that the issue be resolved before the Settlement took place.

LBCJMA approved and signed a settlement agreement for \$75,000 on 5.23.2013 agreeing to release any rights to customers, properties or vacant parcels now or in the future that may be developed.

Aqua has obtained PUC approval on the sale and closing of the sale, is slated for the end of the month.

Motion by Mr. Tucker and seconded by President Lewis to Approve a Resolution Authorizing and Approving a Settlement Agreement and Mutual Release Between the Lower Bucks County Joint Municipal Authority and Bristol Township.

Motion carried unanimously by a vote of 5-0.

B. A Resolution Re-Confirming the Sale of the Bristol Township Water System to AQUA Pennsylvania, Inc. and Authorizing the Township Manager to Sign All Necessary Documents Related to the Assets Purchase Agreement: Consideration to Adopt.

Mr. Sacco stated that since Mr. McCauley will be the one signing all the documents, Aqua has requested that a resolution be approved authorizing the Township Manager to sign all necessary closing documents and papers relating to the sale of the water system.

Motion by President Lewis and seconded by Mr. Glasson to Approve a Resolution Re-Confirming the Sale of the Bristol Township Water System to AQUA Pennsylvania, Inc. and Authorizing the Township Manager to Sign All Necessary Documents Related to the Assets Purchase Agreement.

Motion carried by unanimously by a vote of 5-0.

REPORT FROM TOWNSHIP MANAGER

Township Manager McCauley announced that Council received the Annual Financial Audit Report last week and he previously reported the results of the 2012 Financial Operations to Council. As they are now in receipt of the final audit, the, Township Manager respectfully requests that Council make a motion to receive the Audit of Financial Statements as of December 31, 2012 for the record and authorize its placement on the township website for public inspection.

Motion by President Lewis and seconded by Vice President Brennan to Receive Audit of Financial Statements as of December 31, 2012 for the record and place on Bristol Township's Website for public inspection.

Motion carried unanimously by a vote of 5-0.

REPORT FROM TOWNSHIP SOLICITOR

Mr. Randall Flager had no formal report.

NEW BUSINESS

- A. Application for Preliminary & Final Subdivision Approval of Woodbury Grove LP, for Property Located at Bath Road & Forest Street (T.M.P. #5-28-565-002) in an R-3 Residential District: Consideration to take Appropriate Action.

Mr. Ed Murphy of Wisler Pearlstine, LLP and John Richardson of Dumack Engineering P.C, representing Woodbury Grove, L.P. gave a presentation, requesting Preliminary Plan approval to develop 36 lots @ 6,000 square feet each. Almost half of the area would remain woodlands, wetlands or open space to incorporate and preserve the endangered species in terms of the indigenous plants presently on the land; with the new lots and the preserved space totaling 14 acres in the Bath Road & Forrest Street area. A new road would be incorporated into the development with entrance at Bath Road and a cul-de-sac at the end of the extension of Forrest St to replace what would have been a dead end. Mr. Murphy noted that his client is aware that there is not enough sewer capacity available for the amount of lots to be developed. With such restraints and work needed to still be completed on the sewer capacity Woodbury Grove LP is asking for a conditional Preliminary Plan approval only with the stipulated approved waivers recommended by the Township Engineer and the Planning Commission. Mr. Murphy received a draft of an Approval Resolution supported by Mr. Young and the Planning Commission stating the majority of the issues are Will Comply with a couple of items needed to be worked out before final approval.

Councilman Tony Tucker asked if any work was going to start on the premises with no sewer capacity. Mr. Young responded with the reasoning of the Conditional Preliminary Approval stating it would allow for the progression of the plans for financial lending and additional permit approval only.

Councilman Craig Bowen questioned the waiver regarding the pitch of the pipes on the proposed site and the reasoning for the requested waiver which was not supported by Mr. Young and the Planning Commission.

President Bob Lewis inquired as to if there would be a permit queue for companies who want sewer permits .

Township Solicitor Flager stated that the permits are first come first serve.

Township Manager Mr. William McCauley stated that the Township at this point has about 30 EDU permits left. Even with the amount of permits left that would not cover the subdivision right now and in order to encourage business in Bristol Township in the future along with the short term answer of contracting for the Inflow & Infiltration repairs, Bristol Township is working diligently with the DPA and EPA to create additional capacity in the sewer plant.

Councilman Troy Brennan inquired about what liability the Township would have if the proposed Homeowners Association went defunct? Mr. Murphy stated that a reserve would be established by the developers for the Home Owners Association for any issues that arise therefor taking any of the burdens off of the Township. Mr. McCauley stated that we will require documents that all the homeowners in the development commit funding to the Homeowners Association.

Mr. Tucker inquired what happens if the council approves the preliminary and not the final plans; can the developer sue us for turning it down?

Mr. Flager stated that the Township has the right to turn down or approve of any plans as long as it is done within the compliance of the law and zoning; and just because Council approves the preliminary plans does not automatically mean approval of the Final Plans.

Motion by Mr. Glasson and seconded by Vice President Brennan to Approve an Application for Conditional Preliminary Subdivision Approval of Woodbury Grove LP, for Property Located at Bath Road & Forest Street (T.M.P. #5-28-565-002) in an R-3 Residential District with the stipulated conditions approved by the engineer and solicitor as to the compliance of all issues stated.

Motion carried unanimously by a vote of 5-0.

B. Application for Preliminary & Final Subdivision Approval of R & S Developers, LLC for Property Located at 1118 Magnolia Avenue (T.M.P. #5-8-336) in an R-2 Residential District: Consideration to take Appropriate Action.

Mr. Richard Stoneback of Charles Shoemaker Inc. representing R& S Developers, LLC presented the Council with a minor subdivision project near the Croydon Train station on Magnolia Ave. Mr. Stoneback stated that the lot will be divided into 2 and the goal is to build two homes. R& S Developers will comply with the resolution with the exception of the waivers and Mr. Larry Young recommended all stipulated waivers be granted.

Motion by Vice President Brennan and seconded by Mr. Bowen to Approve an Application for Preliminary & Final Subdivision Approval of R & S Developers, LLC for Property Located at 1118 Magnolia Avenue (T.M.P. #5-8-336) in an R-2 Residential District with waivers as discussed with compliance of the resolution and no fees imposed in lieu of the provision of sidewalks.

Motion carried by a vote of 5-0.

C. Proposed Refinancing of 2008 Federally Taxable General Obligation Bonds, Series of 2008 and General Obligation Bonds, Series of 2010: Consideration to take Appropriate Action

Township Manager McCauley consulted with RBC Capital Market in hopes of refinancing the 2008 and 2010 Federal General Obligation Bonds to take advantage of lower rates last October. Since that time the refinancing worked up to December when rates moved upward. The rate came down again and the transactions were cost effective up until just recently. Due to “market fluctuation”, Mr. McCauley has recommended action be taken now to prepare the Township for the future opportunity to save money on the bonds.

Mr. McCauley recommends that Council authorize the preparations of a Parameter Debt Ordinance to be determined by bond council and that RBC Capital Markets be appointed as Bond Underwriter to be paid at a rate of \$6.00 per bond and further to Appoint Fox Rothschild as Bond Council to be paid a fee not-to-exceed \$ 27,500.

Motion by President Lewis and seconded by Mr. Glasson to Authorize the Preparation Debt Ordinance to be determined by a Bond Council; Authorizing Bristol Township to enter into an Agreement with Fox Rothschild to be Bond Council for a fee of no more than \$27,500 and to Authorize Township to hire RBC Capital Markets as the Bond Underwriters for the Proposed Refinancing of 2008 Federally Taxable General Obligation Bonds, Series of 2008 and General Obligation Bonds, Series of 2010.

Motion carried unanimously by a vote of 5-0.

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

No Action Taken; will be discussed at next meeting with updated pricing information.

E. Bids for 2013 Milling & Paving Project, Contracts A & B: Consideration to take Appropriate Action.

Mr. Larry Young announced that two separate bids were placed for the Milling and Paving Project of the Levittown and Croydon Roads to be completed this year.

For the Levittown roads, six bids were received and Mr. Young recommends that Council accept the low bid of \$1,596,489.01 from James D. Morrissey, Inc.

Motion by Mr. Bowen and seconded by Vice President Brennan to Award the Bid for the 2013 Milling & Paving Project, Contract A to James D. Morrissey, Inc. for the price of \$1,596,489.01.

Motion carried unanimously by a vote of 5-0.

For the Croydon roads, three bids were received and Mr. Young recommends that Council accept the low bid of James D. Morrissey, Inc. in the amount of \$1,424,720.19.

Motion by Mr. Bowen and seconded by Mr. Tucker to Award the Bid for the 2013 Milling & Paving Project, Contract B to James D. Morrissey, Inc. for the low bid of \$1,424,720.19.

Motion carried unanimously by a vote of 5-0.

Ms. Christine Derr of Birch Drive inquired as to when the construction and paving of the streets will commence and why the necessity of the due date for the curbs since paving may not be started until August.

Mr. Larry Young stated as soon as agreements are approved he will release paving schedules for residents to view.

Mr. Gerard Lykon, of Lykon Motors wanted to express his thanks to the Council and Township for the paving of all the roads.

Mr. Murray Bailey suggested that some unfinished roads in Winder Village around the 600 block of Winder Drive should be considered to be repaved if there is a surplus of funds.

Motion by Mr. Bowen and seconded by Mr. Glasson Approving the change order #1 of contract A to include additional Levittown roads to be paved, due to cost savings on the two contracts, for an additional cost of \$621,450.83.

Motion carried unanimously by a vote of 5-0.

Township Manager McCauley announced that of the 88 miles in Bristol Township that needed to be repaved, the 2013 Milling & Paving Project would complete 31.4 miles and that is a step in the right direction!

F. Bids for 2013 Inflow and Infiltration Program for Wastewater Collection System:
Consideration to take Appropriate Action.

Mr. McCauley presented the recommendation of the Sewer Engineer is to accept the low bid of \$329,470.31 by Lake County Sewer Company.

Motion by President Lewis and seconded by Mr. Glasson to Accept the low bid of \$ 329,470.31 from Lake County Sewer Company for 2013 Inflow and Infiltration Program for the Wastewater Collection System.

Motion carried unanimously by a vote of 5-0.

G. Letter to Township Council from Newportville Community Church dated May 11, 2013 re: Waiver of Permit Fee for Roof Replacement: Consideration to take Appropriate Action.

Motion by President Lewis and seconded by Mr. Tucker Approving a Waiver for a 50% reduction of the Permit Fee for Roof Replacement of Newportville Community Church.

Motion carried by a vote of 5-0.

H. Letter to Township Manager from Audrey J. Tucker, CEO, Family Service Association dated May 30, 2013 re: Waiver of Permit Fees for Kitchen Renovations at Bucks County Emergency Homeless Shelter: Consideration to take Appropriate Action.

Motion by Mr. Bowen and seconded by Mr. Glasson Approving a Waiver for a 50% Reduction of Permit Fee for Kitchen Renovations at the Bucks County Emergency Homeless Shelter.

Ms. Linda Tarlini of Bristol Township inquired as to if their kitchen had been installed.

Motion carried by a vote of 5-0.

I. Letter to Manager from Abraham Brooks, Kanga Roof dated April 25, 2013 Requesting Waiver of Permit Fees for Roof Replacement: Consideration to take Appropriate Action.

Motion by Mr. Tucker and seconded by Mr. Lewis Approving to Waive the Permit Fee for Bristol Township's Veteran resident who is receiving the Donated Roof.

Motion carried by a vote of 5-0.

Councilman Craig Bowen announced that he would personally pay for the Donated Roof Permit Fees in recognition of the 69th Anniversary of "D" Day for the Bristol Township Resident who has been awarded the replacement roof by Kanga Roof.

Mr. McCauley also wanted to recognize Kanga Roof of Langhorne and Mr. Brooks, a native of Bristol Township, for donating the roof to a deserving Bristol Township Veteran.

OTHER BUSINESS

Councilman Tony Tucker requested information on the previous topic of the Jake Brake ordinance in response to a concerned resident calling him.

Mr. Flager stated the Township is looking into an expansion of the Amendment regarding the Ordinance already in place.

OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL

Ms. Patti Nickels of Prospect Ave wanted to update the Township residents on their efforts for Sidewalks for Newportville Road and their upcoming dates for Fundraising for the cause. Ms. Nickels also wanted to thank the ProTeam and Councilman Bowen for all their support regarding the fundraising efforts. So far Sidewalks for Newportville has had a handful of fundraising events at Georgine's, JoJo's Ice Cream and their 5k Event at the Tech School which provided them a total of \$19,922 towards the goal of sidewalks. Sidewalks for Newportville have a few events planned as described below in order to raise much needed funds for the new sidewalks.

June 24th @ Golden Dawn Diner ~ 10% of Sales with coupon donated

July 9th @ Bailey's for Bike

July 23rd @ Dairy Delight ~ 20% of Sales donated

August 24th @ Newportville Firehouse Memory Run

Anyone interested in sponsoring or donating to the Sidewalks For New Falls Road should contact Sharon or Patti @ www.facebook.com/HonoringJohnRearickByMakingADifference.

President Lewis stated that Bristol Township Council has teamed up with Sidewalks for New Falls Road and encourages residents to come out and participate in the fundraising events.

Mr. Keith von Deylen of Lakeland Ave inquired as to what the number of the Jake Brake Ordinance is since officers are not aware of it. He requested that council consider what Newtown has for the Jake Brake ordinance.

Mr. Murray Bailey of Belardey wanted to publicly thank all of the citizens that came out to vote for him and all of his running mates. He also wanted to congratulate all of the members that won the primary election last month. Mr. Bailey stated that the tension within the same party was a bad atmosphere, and public officials in opposite parties can work together, Bristol Township needs to do the same.

Ms. Tammy Hardy of Croydon Acres, announced that Croydon Acres Civic Association is having the first of their Summer Concerts on Saturday, June 29th from 7-9 pm at Croydon Acres Park. Bristol Township residents are encouraged to attend, bring a chair or blanket, and refreshments are available for purchase.

Mr. Chuck Clayton wanted to thank Mr. McCauley for taken care of his 90 year old father's down tree over the Memorial Day weekend. He also spoke about the complaints and dangerousness of the traffic over by the Haines Road School. Mr. Clayton also expressed his gratitude to the Council for their efforts with the roads. Mr. Clayton stated, "you all are doing a great job and moving forward, the people are finally seeing a ray of hope in this township and I am all for it, Go Pro!"

Mr. McCauley stated that Glenn Kucher and Jason Lawson made PECO move a little faster to get the down tree for Mr. Clayton's father.

Mr. Tom Barton of Aster Lane spoke on an incident involving a member of the school board who approached and threatened a resident to have his contract yanked for the Township at a meeting in the Municipal Building.

Mr. Joe Krug of Bristol Township Environmental Advisory Council would like to request a member of Council to attend their monthly meetings since Councilwoman Longhitano has not be able to attend recently. In addition, prior to the monthly meetings @ 6:30 pm there is a public education program held by the BTEAC and you can find out the topic at BTEAC.org and the link to it off of the BristolTownship.org website.

Ms. Ellen Miller of Margo Gardens and the BTEAC has a list of native trees for sale ranging from \$8.25 to \$ 45.00 to benefit community education programs. We hope that people consider planting trees since they are an asset to dealing with rainwater. Address to pick up trees from is 4612 Eugene Drive and phone number to call Ms. Miller at is 215 788-0651.

Mr. John Sanchez of Croydon wanted to announce that the Newportville Road site that was cleaned up was the old water treatment plant and he thinks it looks great. Construction in the Croydon Manor area looks great except for one home in particular and would like to see if someone can look into it; this particular house sits on the corner of Clover Street. He would like to echo Mr. Murray Bailey's earlier sentiments.

Ms. Barbara Bill of Drexelwood inquired as to what the data results of the traffic survey done on Queen Anne Drive and spoke on the School Board new Building stating it would be good for the Township and children learn better when in a better environment.

Mr. West Retzler of West Bristol proclaimed that you'll see things can move along very easy if you talk to another person for a while. Mr. Retzler also spoke on the sewer connectivity while Route 13 was already dug open during the current construction. Mr. Retzler also inquired as to the meeting schedule for the month of May and the rights of the township residents to have a monthly meeting and to the traffic speeding and dangerous conditions on Route 413.

Mr. Ken Smith of Edgely spoke on the Randal Ave guard rails that a tractor trailer took down. He wanted to see when we could have the guard rail fixed. Mr. Smith also spoke on the timing and cancelling of the council meetings.

President Lewis stated that the meetings were cancelled due to internal scheduling issues that the Township was facing.

Motion by Vice President Brennan and seconded by Mr. Tucker to adjourn.

BRISTOL TOWNSHIP COUNCIL MEETING
JUNE 6, 2013

Motion carried unanimously by a vote of 5-0.

The meeting was adjourned at 9:37pm.

TOWNSHIP COUNCIL MEETING OF JUNE 6, 2013

1. Approved the outstanding Voucher List and Requisitions for June 6, 2013.
2. Approved the Minutes from the Council Meeting on April 18, 2013.
3. Approved a Resolution of Commendation for Rose Betker Honoring her for 50 Years of Dedicated Service as a Bristol Township Crossing Guard.
4. Approved a Resolution Authorizing and Approving a Settlement Agreement and Mutual Release Between the Lower Bucks County Joint Municipal Authority and Bristol Township.
5. Approved a Resolution Re-Confirming the Sale of the Bristol Township Water System to AQUA Pennsylvania, Inc. and Authorizing the Township Manager to Sign All Necessary Documents Related to the Assets Purchase Agreement.
6. Approved Receipt of Audit of Financial Statements as of December 31, 2012 for the record and place on Bristol Township's Website for public inspection.
7. Approved an Application for Conditional Preliminary Subdivision Approval of Woodbury Grove LP, for Property Located at Bath Road & Forest Street (T.M.P. #5-28-565-002) in an R-3 Residential District with the stipulated conditions approved by the engineer and solicitor as to the compliance of all issues stated.
8. Approved an Application for Preliminary & Final Subdivision Approval of R & S Developers, LLC for Property Located at 1118 Magnolia Avenue (T.M.P. #5-8-336) in an R-2 Residential District with waivers as discussed with compliance of the resolution and no fees imposed in lieu of.
9. Authorized the Preparation Debt Ordinance to be determined by a Bond Council; Authorizing Bristol Township to enter into an Agreement with Fox Rothschild to be Bond Council for a fee of no more than \$27,500 and to Authorize Township to hire RBC Capital Markets as the Bond Underwriters for the Proposed Refinancing of 2008 Federally Taxable General Obligation Bonds, Series of 2008 and General Obligation Bonds, Series of 2010.
10. Awarded the Bid for the 2013 Milling & Paving Project, Contract A to James D. Morrissey, Inc. for the low bid of \$1,596,489.01.
11. Awarded the Bid for the 2013 Milling & Paving Project, Contract B to James D. Morrissey, Inc. for the low bid of \$1,424,720.19.
12. Approved the change order #1 of contract A to include various additional Levittown roads to be paved for an additional cost of \$621,450.83.
13. Accepted Low bid of \$ 329,470.31 by Lake County Sewer Company for 2013 Inflow and Infiltration Program for Wastewater Collection System.
14. Approved a Waiver for 50% reduction of the Permit Fee for Roof Replacement of Newportville Community Church
15. Approved a Waiver for 50% Reduction of Permit Fee for Kitchen Renovations at the Bucks County Emergency Homeless Shelter.
16. Approved to Waive the Permit Fee for the Bristol Township Veteran resident who is receiving the Donated Roof.

17. Meeting adjourned at 9:37pm.

Respectfully submitted,
Tammy L. Hardy, Township Secretary