

BRISTOL TOWNSHIP COUNCIL MEETING
SEPTEMBER 20TH, 2012

BRISTOL TOWNSHIP
2501 BATH ROAD
BRISTOL, PA 1907

SEPTEMBER 20th, 2012

COUNCIL MEETING

President Lewis called the meeting to order at 7:11 PM.

Roll Call:	Mr. Bowen	Present
	Mr. Glasson	Present
	Ms. Longhitano	Present
	Mr. Pluta	Present
	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. Additionally, public comments will be taken on Land Development and official action items. General comments will be taken during opportunity for residents to address Council. Council discussed litigation and real estate matters prior to the meeting during Executive Session.

VOUCHER LIST & REQUISITIONS AND MINUTES

Motion by Mr. Glasson and seconded by Mr. Bowen to approve the Voucher List & Requisitions for September 20, 2012.

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

Motion by Vice President Brennan and seconded by Mr. Glasson to approve the minutes for August 16th, 2012.

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

ORDINANCES AND RESOLUTIONS

- A. A Resolution Authorizing the Acceptance of an EPA Infrastructure Grant and Naming the Appropriate Township Officials to Administer the Grant: Consideration to Adopt.

Mr. Gallus Obert asked if there were matching funds associated with this grant.

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Motion by President Lewis and seconded by Miss Longhitano to approve A Resolution Authorizing the Acceptance of an EPA Infrastructure Grant and Naming William J McCauley, III and Gail Gordon as the Appropriate Township Officials to Administer the Grant.

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

- B. A Resolution Appointing William J. McCauley, III as Chief Administrative Officer of the Township of Bristol Police Pension Plan and Non-Uniform Pension Plan (09-015-4N): Consideration to Adopt.

Motion by Miss Longhitano and seconded by Vice President Brennan to approve A Resolution Appointing William J. McCauley, III as Chief Administrative Officer of the Township of Bristol Police Pension Plan and Non-Uniform Pension Plan (09-015-4N).

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

- C. A Resolution Approving an Intergovernmental Agreement to Participate in a Joint Grant Application for Towns Against Graffiti: Consideration to Adopt.

Motion by Mr. Glasson and seconded by Mr. Bowen to approve A Resolution Approving an Intergovernmental Agreement to Participate in a Joint Grant Application for Towns Against Graffiti.

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

- D. A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for Towns Against Graffiti in the Amount of \$165,000: Consideration to Adopt.

Motion by Miss Longhitano and seconded by Vice President Brennan to approve A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for Towns Against Graffiti in the Amount of \$165,000.

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

- E. A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for the Retrofitting of Township Street Lights in the amount of \$1,250,000: Consideration to Adopt.

Mr. Pluta questioned where the matching funding would be coming from out of the Township Budget.

Mr. Obert had questions regarding the heat output of LED lighting.

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Miss Ann Vesce had questions regarding this project.

Mr. Charles Schulz suggested removing some lights along Route 413.

Motion by Vice President Brennan and seconded by Mr. Glasson to approve A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for the Retrofitting of Township Street Lights in the Amount of \$1,250,000.

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

F. A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for Emergency Radios for Bristol Township Police, EMS, Volunteer Fire and the Fire Marshal's Office in the Amount of \$220,000: Consideration to Adopt.

Motion by Mr. Glasson and seconded by Miss Longhitano to approve A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for Emergency Radios for Bristol Township Police, EMS, Volunteer Fire and the Fire Marshal's Office in the Amount of \$220,000.

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

Mr. Pluta asked if any further Casino Grant applications were being submitted.

REPORT FROM TOWNSHIP MANAGER

Township Manager McCauley recommended a 50% waiver of building permit fees for Freedom Neighborhood One. The total amount waiver would be \$2,240.00.

Motion by Miss Longhitano and seconded by President Lewis to approve a 50% waiver of building permit fees for Freedom Neighborhood One in the amount of \$2,240.00.

Township Manager McCauley recommended approval of A Resolution Setting and Imposing an Increase in the Sewer Tapping Fee to \$4,500: Consideration to Approve.

Mr. Obert had questions regarding the increase in sewer tapping fees.

Motion by Vice President Brennan and seconded by Mr. Glasson to approve A Resolution Setting and Imposing an Increase the Sewer Tapping Fee to \$4,500.

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

REPORT FROM TOWNSHIP SOLICITOR

Mr. Flager provided A Resolution that would Repeal the \$500 Escrow Associated with Resale of Residential Properties.

Mr. Larry Mascia had comments regarding resale of residential properties.

Miss Linda Tarlini asked if this repeal would apply for house “flippers” as well.

Motion by Vice President Brennan and seconded by Mr. Glasson to approve A Resolution that would Repeal the \$500 Escrow Associated with Resale of Residential Properties.

Mr. Flager asked for guidance regarding the proposed Ordinance regulating curb & sidewalks during residential resale.

Vice President Brennan stated he was in favor of trying an 18-month moratorium on the regulation of curb and sidewalk repair.

Mr. Pluta stated that he would be in favor of the Township allowing the patching of curbs and sidewalks; but still maintain a high level of safety.

Miss Longhitano stated that this issue should be handled exclusively between the buyer and seller.

Vice President Brennan suggested making the moratorium 24-months long.

Mr. Obert commented regarding this matter.

Miss Tarlini expressed safety concerns.

Mr. Retzler had comments regarding fines.

NEW BUSINESS

- A. Appeal of a Decision of the Bristol Township Zoning Hearing Board by DHD Ventures Dated April 9, 2012: Consider to take Appropriate Action.

Mr. Flager stated that DHD Ventures has come forward with a stipulation for Council’s consideration that could end litigation and provide DHD Ventures with the variances they need to proceed.

Mr. Obert had a comment regarding stormwater mitigation and maintenance.

Mr. Pluta voiced his disapproval with the proposed stipulated agreement.

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Motion by Vice President Brennan and seconded by Mr. Bowen accepting the stipulation as negotiated by DHD Ventures and the Township Solicitor.

Motion carried by a vote of 5-2, with Mr. Pluta and Mr. Tucker voting no.

- B. Application for Preliminary/Final Land Development Approval of DHD Ventures located on T.M.P 05-042-116, Mill Creek Parkway and Edgely Road: Consideration to take Appropriate Action.

Mr. Tom Hecker and Mr. Rik Longacre gave a brief presentation regarding the proposed Bottom Dollar that would be built on this parcel, on behalf of DHD Ventures.

Motion by Vice President Brennan and seconded by Mr. Bowen to adopt a Resolution Approving the Application for Preliminary/Final Land Development of DHD Ventures Located on T.M.P 05-042-116, Mill Creek Parkway and Edgely Road.

Miss Tarlini commented regarding the in lieu of fee.

Miss Barbara Bill had questions about the original Zoning Hearing Board decision.

Mr. Obert had questions about the land development plan.

Mr. Chuck Clayton voiced his support for the DHD Ventures plan.

Motion carried by a vote of 5-2, with Mr. Pluta and Mr. Tucker voting no.

- C. Application for Conditional Use Approval from Bristol Sunoco Located on T.M.P. 05-027-101, 1231 Veterans Highway: Consider to take Appropriate Action.

Mr. John Schultz, on behalf of owner Chaman Popli, gave a brief presentation of the proposed changes that require a Conditional Use approval.

Mr. Pluta suggested that a barrier be put up along the private driveway that abuts the property line to keep drivers from illegally cutting through.

Mr. Chaman Popli stated publicly that he complies with the condition of erecting a barrier along the aforementioned private driveway, as well as the other conditions previously set forth by the Township.

Motion by Mr. Tucker and seconded by Miss Longhitano to approve the Application for Conditional Use from Bristol Sunoco Located on T.M.P. 05-027-101, 1231 Veterans Highway.

Mr. Pluta had questioned the legality of the Sunoco's current use.

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

D. Bids for the Milling and Paving of Certain Roads in the Croydon Section of Bristol Township: Consideration to take Appropriate Action.

Mr. Larry Young, Township Engineer, stated that the roads that were bid on were Maple, Clover, Hillcrest, and Walnut Avenues. Mr. Young stated that his recommendation to Council is to accept the low bid from Arawac Paving Company in the amount of \$269,400.

Motion by President Lewis and seconded by Miss Longhitano to accept the bid of Arawac Paving Company in the amount of \$269,400 for the milling and paving of Maple, Clover, Hillcrest, and Walnut Avenues.

Mr. Obert questioned the times when bids are opened.

Mr. Retzler had questions regarding the paving project.

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

E. Bids for Modifications to Sewer Pump Stations – Mechanical: Consideration to Take Appropriate Action.

Township Manager McCauley stated that Sewer Engineer Mr. Tom Beach has recommended to Council to award the base bid and alternative #1 in the amount of \$1,525,533 contingent upon funds being available.

Motion by Vice President Brennan and seconded by Mr. Glasson to award the base bid and alternative #1 in the amount of \$1,525,533 contingent upon funds being available.

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

F. Bids for Modifications to Sewer Pump Stations – Electrical: Consideration to Take Appropriate Action.

Township Manager McCauley stated that Sewer Engineer Mr. Tom Beach has recommended to Council to award the base bid and alternative #1 in the amount of \$673,905 to Marshall Industrial Technologies contingent upon funds being available.

Motion by Mr. Tucker and seconded by Mr. Glasson to award the base bid and alternative #1 in the amount of \$673,905 to Marshall Industrial Technologies contingent upon funds being available.

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

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G. Bids for Municipal Complex L.E.D. Sign: Consideration to take appropriate action.

Mr. Young recommended to Council to accept the bid of Armour & Sons Electric, Inc. in the amount of \$20,850 for the purchase and installation of the L.E.D. Sign.

Motion by Miss Longhitano and seconded by Mr. Bowen to accept the bid of Armour & Sons Electric, Inc. in the amount of \$20,850 for the purchase and installation of the L.E.D. Sign for the Municipal Complex.

Miss Bill had questions regarding the L.E.D. sign.

Miss Tarlini had questions regarding the grand total of the project.

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

H. Proposal for an Operations and Maintenance Agreement between M&B Environmental, Inc. and the Township of Bristol: Consideration to Take Action.

Township Manager McCauley stated that no employees would lose their jobs as a result of entering this agreement. Mr. McCauley stated that M&B agreement would cost us \$36,875.45 less than the cost of hiring our own employees.

Motion by Mr. Pluta to table this item and request RFP's for the operations and maintenance of the wastewater treatment plant. No second.

Motion to authorize the Township Manager to sign the Operations and Maintenance Agreement with M&B Environmental, Inc. subject to final approval of the agreement by the Township Solicitor, and subject to the discretion of the Township Manager to meet and discuss the matter with the union representatives.

Mr. Schultz has questions about the proposed contract, and remarks regarding sampling.

Motion carried by a vote of 6-1, with Mr. Pluta voting no.

I. 2013 Financial Requirement and Minimum Obligation for Bristol Township Pension Plans: Consideration to Take Appropriate Action.

Motion by Vice President Brennan and seconded by President Lewis to set the 2013 Financial Requirement and Minimum Obligation at \$1,287,488.

Motion carried unanimously, 7-0.

OTHER BUSINESS

President Lewis noted that Croydon Acres Civic Association was having a concert on September 29th.

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Mr. Glasson wished to publicly thank the retired officers who have signed Waivers related to Traveler's Insurance and the police pension.

Mr. Bowen noted that Bucks County Technical School will be holding a Harvest Day on October 27th from 10am-5pm.

Mr. Bowen also asked residents who have complaints or requests for Township services to please call the Township Manager directly rather than write to State Representatives in order to receive more timely action.

PUBLIC COMMENT

Mr. John Delansky had questions and concerns about the DOW Chemical-owned property popularly referred to as Maple Beach.

Mr. Obert made several public comments.

Miss Vesce had questions regarding the landscaping in the Pathmark shopping center.

Mr. Mascia had questions regarding the changes to the residential resale process.

Mr. Retzler had several public comments.

Motion by Miss Longhitano and seconded by Vice President Brennan to adjourn.

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

The meeting was adjourned at 11:16PM.

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1. Motion to approve the Voucher List & Requisitions for September 20, 2012.
2. Motion to approve the minutes for August 16th, 2012.
3. Motion to approve A Resolution Authorizing the Acceptance of an EPA Infrastructure Grant and Naming William J McCauley III and Gail Gordon as the Appropriate Township Officials to Administer the Grant.
4. Motion to approve A Resolution Appointing William J. McCauley III as Chief Administrative Officer of the Township of Bristol Police Pension Plan and Non-Uniform Pension Plan (09-015-4N).
5. Motion to approve A Resolution Approving a Intergovernmental Agreement to Participate in a Joint Grant Application for Towns Against Graffiti.
6. Motion to approve A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for Towns Against Graffiti in the Amount of \$165,000.
7. Motion to approve A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for the Retrofitting of Township Street Lights in the Amount of \$1,250,000.
8. Motion to approve A Resolution Authorizing the Township Manager to Submit a Grant Application to the Redevelopment Authority of the County of Bucks for Emergency Radios for Bristol Township Police, EMS, Volunteer Fire and the Fire Marshall's Office in the Amount of \$220,000.
9. Motion to approve a 50% waiver of building permit fees for Freedom Neighborhood One in the amount of \$2,240.00.
10. Motion to approve A Resolution Setting and Imposing an Increase the Sewer Tapping Fee to \$4,500.
11. Motion to approve A Resolution that would Repeal the \$500 Escrow Associated with Resale of Residential Properties.
12. Motion to accept the stipulation as negotiated by DHD Ventures and the Township Solicitor.
13. Motion to accept A Resolution Approving Application for Preliminary/Final Land Development of DHD Ventures Located on T.M.P 05-042-116 Mill Creek Parkway and Edgely Road.
14. Motion to approve the Application for Conditional Use from Bristol Sunoco Located on T.M.P. 05-027-101, 1231 Veterans Highway.
15. Motion to accept the bid of Arwac Paving Company in the amount of \$269,400 for the milling and paving of Maple, Clover, Hillcrest, and Walnut Avenues.
16. Motion to award the base bid and alternative #1 in the amount of \$1,525,533 contingent upon funds being available.
17. Motion to award the base bid and alternative #1 in the amount of \$673,905 to Marshall Industrial Technologies contingent upon funds being available.
18. Motion to accept the bid of Armour & Son Electric in the amount of \$20,850 for the purchase and installation of the L.E.D. Sign for the Municipal Complex.
19. Motion to authorize the Township Manager to sign the Operations and Maintenance Agreement with M&B Environmental, Inc. subject to final approval of the agreement's term by the Township Solicitor, and subject to the discretion of

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the Township Manager to meet and discuss the matter with the union representatives.

20. Motion to set the 2013 Financial Requirement and Minimum Obligation at \$1,287,488.

21. Motion to adjourn the meeting at 11:16 PM.

Respectfully submitted,
Keith S. Truman, Recording Secretary

