

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

**OCTOBER 7, 2010
COUNCIL MEETING**

President Pluta called the meeting to order at 7:04 P.M.

Roll Call:	Councilman Tucker	present
	Councilman Lewis	present
	Councilwoman Tarlini	present
	Vice President Davis	present
	President Pluta	present

EXECUTIVE REPORT:

Mayor Monahan stated that he had two appointments that he would like to make. To the Budget Committee he presented Virginia Fiorentine.

Motion by Councilman Lewis to approve the appointment of Virginia Fiorentine to the Budget Committee. Second by Councilwoman Tarlini.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

Mayor Monahan put up the name John Gunther as an alternate to the Zoning Hearing Board.

Motion by Councilman Lewis to approve the appointment of John Gunther as an alternate to the Zoning Hearing Board. Second by Councilwoman Tarlini.

Councilwoman Tarlini questioned the length of the term. Mr. Sacco stated the he will get that information for Council.

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Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

Mayor Monahan stated that Council and he would like to honor Michael Austin Walter by recognizing his achievement of being found worthy of the rank of Eagle Scout and present a certificate of recognition. Michael was unable to be present at the meeting, he is in Troup 123 of Immaculate Conception Church. Michael volunteered for the Washington Crossing Foundation doing work on trees brush and walkways. Mayor Monahan stated t brought to his attention the condition of a vacant home at 832 Excelsior Avenue. The Township Staff and he have been diligently working to remedy the situation. The home is being investigated for an insurance claim. State Farm Insurance Company cannot obtain a statement from the owner. Mayor Monahan has authorized the Township Solicitor to begin the legal process to obtain the property and tear it down. This could take some time and he would like to thank the residents of Excelsior Avenue for their patience with this problem.

Motion by Councilman Tucker to approve the minutes for the August 19, 2010 Council Meeting. Second by Vice President Davis.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

Motion by Councilwoman Tarlini to approve the minutes for the September 2, 2010 Council Meeting. Second by Vice President Davis.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

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REPORT FROM MANAGING DIRECTOR:

Bid Opening for the Bristol Township Municipal Building Auditorium Improvements. The improvements will include removing the ceiling replacing the Air Conditioning duct work and controls. New lighting and replace the ceiling. The alternate bid is to replace the doors frame and hardware.

- 1. T E Construction Services in the amount of \$74,750.00. The alternate bid amount \$15,500.00.**
- 2. Martel Construction, Inc. in the amount of \$79,300.00. The alternate bid amount \$31,700.00.**
- 3. Jem Mechanical Services, Inc. in the amount of \$91,000.00. The alternate bid amount \$7,766.00.**
- 4. Magnum Inc. in the amount of \$88,000.00. The alternate bid amount \$19,300.00.**
- 5. Tillmar Designs in the amount of \$139,000.00. The alternate bid \$23,000.00.**

Bid Opening for the Plumbing for Emergency Management Garage Building.

- 1. Tillmar Design in the amount of \$45,000.00.**
- 2. McIntyre Plumbing in the amount of \$29,500.00.**

Mr. Bartlett requested Council to conditionally approve the low bidder for the projects, providing all documentation is in order and review by the Engineer.

Vice President Davis questioned how much money was remaining for the Garage Construction. Mr. Bartlett stated the initial bid came in at \$23,000.00 and \$40,000.00 was available. The low bid does not come in conjunction to keep in within the Grant Funding, we will look into coming up with other funding to make up the difference. The low bid will not be awarded, pending additional funding.

Motion by President Pluta to table the bid for the Emergency Management Garage Building until a fund source is found, or re-bid the project. Second by Councilman Tucker.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

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Motion by Vice President Davis to award the bid for the Auditorium to TE Construction as long as all the documents are in order. Second by Councilman Lewis.

Mr. Turner questioned how much the Grant is for this project. Mr. Bartlett stated the Grant is for \$84,000.00 the Engineering Cost is covered under the Department of Energy Grant.

Mr. Obert questioned who the designer is who writes the specs for the work. President Pluta stated he believed the Township Engineer.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

Mr. Bartlett requested a motion to authorize advertisement for the modification project for the Sergeant Area that was included under the Grant.

Motion by Councilwoman Tarlini to advertise the bid for the construction for the Sergeant Area. Second by Councilman Tucker.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

Mr. Bartlett requested Council to suspend and amend the agenda to allow a presentation on the Wetlands. President Pluta questioned if the presentation is information only. Mr. Bartlett stated that it is information only and no planned vote.

Motion by Councilman Lewis to suspend and amend the agenda to allow the presentation known as Wetland Litigation. Second by Vice President Davis.

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Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

The President of Rumble Carlyle Ecology Innovations Bob Sokolove. Mr. Bob Sokolove stated that Litigation Banking is an opportunity that produces restoring habitat and revenue. Mr. Sokolove has been doing Litigation Banking for 20 years. Litigation Banking generally works if an entity has a parcel of land that has no value due to streams or wetland that cannot be developed can be turned into a Wetland Litigation Bank in turn granted wetland credits. The credits can be sold to somebody who is going to destroy wetlands. Mr. Sokolove's Company does all the licensing work. The Company is not looking to get paid from the Township they will produce revenues together. If the Township owns the property his Company will ask for the rights to develop the wetland on that site, they will design and construct the site and gain approvals from the Regulators to develop wetland with a Performance Bond. The revenue that is produced from one of the Wetland Banks is then shared. If the Township buys credits from the Litigation Bank the Township's legal responsibility ends and shifts to Mr. Sokolove's Company, they are the sponsor. There are some sites that they have in mind to do this type of partnership together, some along the Delaware. What Mr. Sokolove's Company does is to take on all of the effort and the Township will become a silent partner when they put the land into the deal. As the credits are sold the proceeds are shared. The Township would have the portion of the site that is considered open space, and have a permanent easement on it. The Township could take the open space and turn it into revenue generating open space. Councilman Lewis stated it is his understanding that there have been discussions with Dow Chemical and the Township regarding a track of land roughly 640 acres much of that is undevelopable. He questioned the amount the Township would make by selling the credits. Mr. Sololove stated that it is an interesting site but not every acre would get translated into a saleable credit. Mr. Lawson stated if the Township acquires property for wetland then the Township would be responsible to care for the land and this would affect the budget. Mr. Sokolove stated that a maintenance bond would be required by the Regulators and this bond could be from 3 to 7 years to maintain and monitor the site and at some point it should just grow to mimic nature.

Mr. Obert questioned if the Township sells land or gives land away how are the Oil Gas and Mineral rights connected to the litigation does the Township also sell them. Mr. Sacco stated that is a good question if we put a permanent easement to maintain the wetlands does that

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easement restrict the use just for wetlands. Mr. Sokolove stated the easements can be whatever we and the Regulators with the land owner acceptance agree too.

SUBDIVISION/LAND DEVELOPMENT:

Reaffirmation of Land Development plans for property located on Edgely Access Road, Levittown (Tax Parcel 05-70-41-004), Lot 1 in an M-1 Light Manufacturing zoned district of Bristol Township.

Mr. Kucher stated that plan was previously approved December 2009 for Quarles Fuels Distribution. They are asking for a reaffirmation.

Motion by Councilwoman Tarlini to Reaffirm the Land Development for property located on Edgely Access Road, Levittown (Tax Parcel 5-70-41-004. Second by Vice President Davis.

Councilman Lewis questioned why Council has to reaffirm this project. Mr. Kucher stated that after Subdivision/Land Development gets approval from Council the applicant has 90 days to record the plans after 90 days Council is required to reaffirm the plan.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

Motion by Vice President Davis to approve the Housing Assistance Program. Second by Councilman Lewis.

Mr. Turner questioned what the program does. President Pluta stated that the program assist homeowners to maintain their property that cannot afford refurbish or to repair.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

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REPORT FROM PUBLIC WORKS DIRECTOR:

Mr. Lawson stated the letter was sent out to the Contractor for the inlets that will be starting soon.

Mr. Lawson met with Patch Management and a schedule was set up for the Pilot Program and the work will begin soon. The documents will be kept with Patch Management and the Township will receive a report each week and 2 Public Works Employees will be going out with them. President Pluta questioned if the areas were laid out for the next 3 months. Mr. Lawson stated it will basically be the way it is laid out for the next 3 months. The main roads will be done first, then each section. President Pluta requested Mr. Lawson to forward the list of roads to Council. President Pluta questioned if the road projects are complete. Mr. Lawson stated they are complete but there is a punch list that will be completed. Councilman Lewis stated there is a drainage problem from Franklin Avenue through Croydon Acres he requested Mr. Lawson to look into the problem and clean out the ditches. Mayor Monahan stated he is receiving complaints concerning the work Aqua is doing. Mr. Lawson stated Aqua has given a list of roads that they are going to replace the water lines. There have been problems in the past with the way Aqua restores the roads. Mr. Lawson met with Aqua and changed the guidelines to land disturb, they will have to mill half the lane they do and pave it. Aqua is now only filling in the trenches that they dig out and there has been no response from them when they are going to mill and overlay. Vice President Davis stated she thought there was an agreement that when Aqua rips up a road that they would give the Township money to replace the entire road. Mr. Lawson stated that was only for a few streets in West Bristol that there was an agreement, after that Aqua decided to do it on their own. Vice President Davis stated that Council was under the impression that the agreement was for all the roads. President Pluta questioned what would be the standard time for Aqua to restore the roads. Mr. Kucher stated that he does not have the code but he thinks it is 90 days and will supply Council with the code. Mr. Kucher will be meeting with Aqua to go over the issues.

REPORT FOR CHIEF OF POLICE:

Chief McAndrew stated the signs will be going up on Oxford Valley Road for the Bridge closure on October 25, 2010. The Take Back Program taking back unused prescriptions was a huge success, over 50 pounds were collected. This will be done again on the 13th of November.

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REPORT FROM DIRECTOR OF BUILDING, PLANNING AND ZONING:

Mr. Kucher stated the sign bills went out to the Businesses in the Township and there have been complaints on regarding the price for the temporary signs. Mr. Kucher will be working with Mr. Sacco to revise the fee schedule for the next calendar year. The Miller Trailer Park Deluca Homes application is scheduled to be heard Monday October 11, 2010 at 7:00 P.M. The Township put out a request for proposals for GIS Infrastructure Work in the Township associated with the Casino Grant. The Township received two proposals. One from Pennoni Associates and the other from T & M. The recommendation to Council is to go with Pennoni Associates for \$31,280.00, a motion would be necessary.

Motion by Councilwoman Tarlini to approve Pennoni Associates for the GIS infrastructure Work. Second by Vice President Davis. Motion was not voted on.

Motion by Councilman Lewis to table the approval of Pennoni Associates for the GIS Infrastructure Work until the next meeting. Second by President Pluta.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

REPORT FROM DIRECTOR OF WATER & SEWER:

Mr. Franklin stated he would like to thank everyone for all their support. The Margo Gardens Pumping Station rebuild is complete and he thank the immediate neighbors for the patience during construction. The specifications are complete and ready to go out got the Sewer T.V. Camera Truck. The purchase will be made with Casino Grant monies. In addition we have applied for grants for a Sewer Vactor Truck and additional I & I work in our Collection System for the 2011 Casino Grants. The Sewer renovation pre-bid Plant walk through took place Wednesday for prospective bidders. All bids must be received by 12:00 noon on October 28, 2010 and will be opened at 1:00 P.M. Mr. Franklin stated it is important to keep lateral vents and cleanouts in good repair, also sump pumps should not discharge in the sewer system.

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REPORT FROM SOLICITOR:

Mr. Sacco stated the Alternate for the Zoning Hearing Board is a set 3 year term. Mayor Monahan asked if there was any response from Marion Village about Joy Lane. Mr. Sacco stated there has been no response. The Township could force them to install the fence or incur the cost and go after them for reimbursement. The more expensive portion is moving the fire hydrant once the hydrant is moved then the fence could be installed.

OTHER:

Councilwoman Tarlini stated she would like to discuss the Township's Policy on recycling. She feels the Township should be recycling. Councilman Lewis stated that there is a policy for recycling. Councilman Tucker stated the cleaning people must be told the importance of recycling. Mr. Bartlett stated he will discuss this with the staff and cleaning people.

OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL:

Mr. Ray Morris stated for 8 months they have had to put up with the house on Excelsior Avenue. He displayed pictures of the water problem in the house. Mr. Morris questioned why an abandon notice is not on the house. Chief McAndrew stated that the property will not be forfeited because too much money is owed. Mr. Sacco stated the quickest way to take care of this problem would be if the Insurance Company steps in and raises the house. The Township could seek an order to destroy or raise the home. President Pluta suggested to reach out to the Insurance Company. Mr. Kucher stated the Insurance Company will not pay anything since there is an arson case on this property. Mr. Sacco stated he will contact the Insurance Company.

Mr. Turner of Croydon stated Maple Dixon and Prospect Avenues were chopped up in the early ninety's the roads need to be repaired. Mr. Turner questioned if there was a budget meeting today. Mr. Bartlett stated that the Budget Committee had a meeting. Mr. Turner questioned if the meetings would be open to the public and announced. President Pluta stated until the Mayor's Budget is presented to Council it is not public information. Mr. Turner questioned the Pennvest Loan for the Sewer Department. President Pluta stated the Township is scheduled to go to closing December 8, 2010.

Carol Ventura stated she had a dispute over a chicken she had for 18 years and requested a variance to keep her chickens. Mr. Kucher stated the ordinance prohibits farm animals in the Township. There is Zoning Ordinance that allows agriculture use but only on a minimum of two acres. Ms. Ventura would have to apply to the Zoning Hearing Board.

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Mr. Obert of Farmbrook stated there are Political Signs blocking view. Vice President Davis stated she had a call about the sign and she is having the sign removed. Mr. Obert stated that the signs should be limited. Mr. Obert questioned his status for the Economic Development Committee. President Pluta stated that there are no appointments for that Committee. Mr. Obert questioned the concrete findings for Goldenridge. Mr. Smith stated the findings were that salt was the cause, and it is past the two year warranty. The residents are responsible to maintain their sidewalk and there is a bonding material that can be placed on the area. Mr. Lawson stated that the Township did not put salt on Goldenridge Drive for 2 years. Mr. Obert stated the Township should repair this for the homeowner. Mr. Obert questioned if sticks could be placed on Joy Lane temporarily to prevent cars from driving through. President Pluta stated that there are break away post there.

Motion by Councilwoman Tarlini to adjourn the meeting at 9:37 P.M. Second by Vice President Davis.

Roll Call Vote:	Councilman Tucker	yes
	Councilman Lewis	yes
	Councilwoman Tarlini	yes
	Vice President Davis	yes
	President Pluta	yes

Motion approved 5-0

BRISTOL TOWNSHIP COUNCIL MEETING

October 7, 2010 continued

- 1. Motion to approve the appointment of John Gunther as an alternate to the Zoning Hearing Board.**
- 2. Motion to approve the minutes for the August 19, 2010 Council Meeting.**
- 3. Motion to approve the minutes for the September 2, 2010 Council Meeting.**
- 4. Motion to table the bid for the Emergency Management Garage Building.**
- 5. Motion to award the bid for the Auditorium to TE Construction as long as all the documents are in order.**
- 6. Motion to advertise the bid for the construction of the Sergeant's Area.**
- 7. Motion to suspend and amend the agenda to allow the presentation known as Wetland Litigation.**
- 8. Motion to Reaffirm the Land Development for property located on Edgely Access Road, Tax Parcel 5-70-41-004.**
- 9. Motion to approve the Housing Assistance Program.**
- 10. Motion to table the approval of Pennoni Associates for the GIS Infrastructure Work.**
- 11. Motion to adjourn the meeting at 9:37 P.M.**

**Respectfully Submitted by
Betsey Kelly-Kryven
Secretary**