

**BRISTOL TOWNSHIP**  
2501 BATH ROAD, BRISTOL, PA 19007  
PHONE (215)785-0500 FAX (215)785-2131

DECEMBER 17, 2009  
COUNCIL MEETING

The meeting was called to order by President Tarlini at 7:20 P.M.

THOSE IN ATTENDANCE: Council members Greer, Monahan, Davis, Pluta and Tarlini.

EXECUTIVE SESSION: litigation and real estate were discussed.

Public Comments will be taken on Land Development and official action items. General comments will be taken during opportunity for residents to address Council.

**VOUCHER LIST & REQUISITIONS AND MINUTES:**

Councilman Monahan called for the motion to approve the voucher list and requisitions for November 2009. Second by Councilwoman Davis.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	aye
	Councilwoman Davis	aye
	Vice President Pluta	aye
	President Tarlini	aye —except for Curtin & Heefner: Mobley vs. Tarlini

Motion approved: 5-0

Mr. Sacco stated the case of Mobley vs Tarlini was withdrawn.

Councilman Greer called for the motion to approve the minutes of October 15, 2009. Second by Vice President Pluta.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	aye
	Councilwoman Davis	aye
	Vice President Pluta	aye
	President Tarlini	aye

Motion approved: 5-0

**REPORT FROM MANAGING DIRECTOR:**

Mr. Bartlett stated the bicycle and roadway travel speed and standards report came out through a grant from Penn dot. We will continue to work on this.

The Community Development Grant was awarded. Mr. Dippolito applied for a \$25,000 emergency vehicle.

The union contract negotiation for the extension of the contract through 2009 won't finalize negotiations. We would clean out the account. We won't finalize this. Vice President Pluta called for the motion to negotiate for the extension of the contract through the end of 2009. Second by Councilman Greer. Poll: all ayes. Motion approved.

**SUBDIVISION/LAND DEVELOPMENT:**

1. Robert C. Long Jr., 2019 Bristol Pike, Croydon PA (Tax Parcel #5-13-100) requesting Preliminary and Final Land Development approval in order to construct a mini warehouse building at the above noted located in a C-Commercial zoned district of Bristol Township. Councilman Greer stated I remember this from the Planning Commission I thought it was worthy for the Township to look at. Mr. Sacco said they were awarded variances. The time expired. They went to court. The judge said the variances are still valid and can't be changed. Councilwoman Davis asked the hours of operation. John Cupman, the representative said there is access anytime. Mr. Sacco stated it should be normal hours. Would they be willing as part of the lease to limit the hours? Mr. Cupman stated the client is willing to have 11:00 P.M. to 6:00 A.M. as no access, the lease will specify. Also the water will not run off onto anyone's property. President Tarlini stated there is no PowerPoint presentation; would you be willing to come back with a PowerPoint presentation? Mr. Cupman stated you tabled this two times already, we would like to resolve this tonight. Councilman Greer stated the issue is land development for storage facilities. The building in front has no bearing. They would have to go to the planning commission. The issue is what was presented to Council. Mr. Cupman stated I will stay here and review the plan with the public. Mr. Sacco stated they will have to go to License and inspection for use of the building. It could come back before you for a separate zoning for that building. Councilman Greer called for the motion to approve the request from Robert C. Long Jr., 2019 Bristol Pike, Croydon PA (Tax Parcel #5-13-100) for Preliminary and Final Land Development approval in order to construct a mini warehouse building at the above noted located in a C-Commercial zoned district of Bristol Township including waivers and fees in trust. Second by Vice President Pluta. Poll: all ayes. Motion approved.

**CONDITIONAL USE:**

1. Wayne Reed, 823 Oak Avenue, Croydon (Tax Parcel #5-54-65) requesting Condition Use approval in order to convert half of the exiting four (4) car garage into an in-law suite at the above noted location in an R-3 Residential zoned district of Bristol Township. Mr. Reed stated I will live in this and retire. My son will be in the house. I will travel and come back here. It is a four bay garage. I want to use two bays to live and two bays for storage. Vice President Pluta asked how do we know it won't be rented? Mr. Sacco stated it will be part of the condition in the License and Inspections file. Vice President Pluta called for the motion to approve the request from Wayne Reed, 823 Oak Avenue, Croydon (Tax Parcel #5-54-65) for Conditional Use approval in order to convert half of the exiting four (4) car garage into an in-law suite at the above noted location in an R-3 Residential zoned district of Bristol Township. Second by Councilman Monahan. Poll: all ayes. Motion approved.

BRISTOL TOWNSHIP COUNCIL  
DECEMBER 17, 2009

COUNCIL ITEMS:

- A. Councilman Monahan called for the motion to approve Ordinance 2009-05 amending Chapter 180, Article 11, Mechanical Amusement Device and Vending Machine Tax”, establishing new rates and setting an effective date. Second by Councilman Greer. Mr. Sacco stated there were issues from the Laundromats. They were charged per coin slots. The tax on vending machines changed to \$25 per machine, even though these rates were reduced it won't be less, more will pay the bill now.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	aye
	Councilwoman Davis	aye
	Vice President Pluta	aye
	President Tarlini	aye

Motion approved: 5-0

- B. Councilman Greer called for the motion to approve Request for Payment Release #2, 2009 Milling & Paving Project, Various Roads as requested by Arawak Paving in the amount of \$12,000. Second by Councilwoman Davis.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	aye
	Councilwoman Davis	aye
	Vice President Pluta	aye
	President Tarlini	aye

Motion approved: 5-0

- C. Councilwoman Davis called for the motion to approve Release Request #4, 5007 Route 13 & Beaver Dam Road, as requested by Bristol Venture LP in the amount of \$50,588.85. Second by Vice President Pluta.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	no
	Councilwoman Davis	aye
	Vice President Pluta	aye
	President Tarlini	aye

Motion approved: 4-1

- D. Councilman Monahan called for the motion to approve the Community Development Housing Assistance Program. Second by Vice President Pluta.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	aye
	Councilwoman Davis	aye
	Vice President Pluta	aye
	President Tarlini	aye

Motion approved: 5-0

- E. Councilman Greer called for the motion to approve the lowest bidder J.L. Gruber Construction, Inc., Contract 2009-09 Handicap Ramp Reconstruction, in the amount of \$179,556.39. Second by Councilman Monahan. Mr. Bartlett stated this is mostly Dogwood, Greenbrook, Stonybrook, Crabtree, Millcreek Road, Multiple locations. It is from the federal Community Development Office. Seventy two curbs are being done. Second by Councilman Monahan.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	aye
	Councilwoman Davis	aye
	Vice President Pluta	aye
	President Tarlini	aye

Motion approved: 5-0

- F. call for a motion to approve reimbursement of \$250.00 as requested by a resident Joseph Mack for damage to a vehicle. Mr. Bartlett stated a section of pipe popped out of place and damaged his car. This is the deductible. We typically cover this type of damage; it was raised above the roadway and not visible. Councilwoman Davis stated we didn't cover manholes raised. Mr. Sacco stated we, on occasion do, if it was the Township's, the determination has to be made, and did we know about the problem. The legal test is should the Township have know, was it in their control. Vice President Pluta called for the motion to *table* reimbursement of \$250.00 as requested by a resident Joseph Mack for damage to a vehicle. Second by Councilwoman Davis.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	aye
	Councilwoman Davis	aye
	Vice President Pluta	aye
	President Tarlini	aye

Motion approved: 5-0

- G. Discussion for possible action on the open space update. Mr. Kucher stated last meeting I let Council know the plans. I forwarded the information to Council and the township departments. We will have meetings with residents. The meetings will be the fourth Tuesday of each month at 6:00 P.M. Councilman Monahan called for the motion to advertise in the paper and on the website for the meetings scheduled for the open space program.

Roll Call Vote:	Councilman Greer	aye
	Councilman Monahan	aye
	Councilwoman Davis	aye
	Vice President Pluta	not in room during motion
	President Tarlini	aye

Motion approved: 4-0

#### REPORT FROM PUBLIC WORKS DIRECTOR:

Mr. Lawson reported there are cones by Mary Devine School, yellow lines will be painted to try to stop people from parking there.

The swales on Minot Avenue were cleaned out.

Croydon Acres Park was completed with a walking path thanks to the Croydon Association giving \$3,000 to the Township. DOW also contributed.

REPORT FROM CHIEF OF POLICE:

Chief McAndrew reported a complaint was received from a resident saying a Verizon person knocked on their door and asked to put a tent there. When asked for ID the person left. Be careful don't let anyone in your house, even with ID, let us screen the complaints.

Parents are parking on the grass and no parking areas at George Washington School. We will post that area and ticket those vehicles, it is dangerous. Present Tarlini stated the problem is ongoing we need a permanent ordinance. I appreciate the temporary signs in the meantime. President Tarlini called for the motion for Mr. Sacco to prepare an ordinance regarding the Washington side of the street at Oaktree and Crabtree Drive. Second by Councilwoman Davis. Poll: all ayes. Motion approved. Chief McAndrew stated Northtech Corporation donated \$1,000 to the Township, some of that might be spent to keep the kids safe.

REPORT FROM DIRECTOR OF BUILDING, PLANNING & ZONING:

Mr. Kucher requested a reaffirmation of the Metro Bank at the Queen Ann Shopping Center, the ninety days expired. Councilman Greer called for the motion to approve the reaffirmation for Metro Bank at the Queen Ann Shopping Center. Second by Vice President Pluta. Poll: all ayes. Motion approved.

REPORT FROM SOLICITOR:

Mr. Sacco reported there is an opportunity to refinance the current ten million dollar bond with significant savings. It includes two million dollars for inflow and infiltration work. The rates are low. January 4, 2010 is the reorganization but there is no meeting Thursday. Consider the Bond Ordinance at the reorganization meeting. Councilman Monahan called for the motion to prepare and advertise for an ordinance to prepare and advertise to refinance the current ten million dollar bond. Second by Vice President Pluta. Council members Greer, Monahan, Pluta and Tarlini voted yes. Council member Davis abstained (out of room). Motion approved 4 ayes, 1 abstain.

Mr. Sacco stated Council awarded a nine million dollar loan. Pennvest closes in June 2010. The procedure would allow the Township to obtain funds from Pennvest prior to June. One project to proceed with is for the Act 537 Plan, the purchase of the effluent meter for \$25,000. It must pass with a resolution. You are recommending their approval to purchase and install prior to closing in June (asking Pennvest for approval). Councilman Greer called for the motion to ask Pennvest for approval to purchase and install an effluent meter for \$25,000 prior to closing. Second by Vice President Pluta. Poll: all ayes. Motion approved.

OTHER:

President Tarlini thanked Council, residents and employees for the privilege of being president and wished all a prosperous year.

Vice President Pluta, Councilwoman Davis and Councilman Monahan thanked all and wished residents and employees a Merry Christmas and a Happy New Year.

Councilman Greer thanked Council and the residents for allowing him to serve.

President Tarlini stated the Budget Meeting is December 29, 2009 at 10:00 A.M.

BRISTOL TOWNSHIP COUNCIL  
DECEMBER 17, 2009

PUBLIC COMMENT:

1. Ken Smith-spoke of his displeasure with the increase in sewer rates.
2. Jake Tryon- said during tough times department heads shouldn't get raises.
3. Wayne Reed-did not speak.
4. Gallus Obert-said it should say on the agenda all presentations should be on PowerPoint. The light pole at Millcreek Road and Dogwood Drive is out and has no number on it. The grant should be used in the parking lot because it is dark. President Tarlini stated two lights were just repaired.
5. Wayne Turner-spoke of the newspaper article which said there was raw sewage put into the river November 4, 2009, what happened? Mr. Bartlett said there are inspections periodically at the plant. The issues were addressed to the DEP. Many items are part of the consent order and the nine million dollar loan to repair the problems can only be used at the plant. Some of the parts are original. They are being modernized. This will bring the plant to full capacity as designed. The information in the report was taken out of context regarding the dumping into the Delaware River. There was a dollar amount in the budget for the fines for things from many years ago at the plant. The fine is part of the consent order. DEP may or may not issue a fine for those items. There are negotiations on these issues.
6. Bob Lewis-said the Croydon Park lights are out before 11:00 P.M. It was said previously that the lights are on all night.

ADJOURNMENT:

Councilman Greer called for the motion to adjourn. Second by Councilwoman Davis. Poll: all ayes. Motion approved. The meeting adjourned at 9:40 P.M.

Respectfully submitted  
Denise Gorry  
Secretary

/dg

MOTIONS APPROVED:

1. Approve the voucher list and requisitions for November 2009.
2. Approve the minutes of October 15, 2009.
3. Negotiate for the extension of the contract through the end of 2009.
4. Approve the request from Robert C. Long Jr., 2019 Bristol Pike, Croydon PA (Tax Parcel #5-13-100) for Preliminary and Final Land Development approval in order to construct a mini warehouse building at the above noted located in a C-Commercial zoned district of Bristol Township including waivers and fees in trust.
5. Approve the request from Wayne Reed, 823 Oak Avenue, Croydon (Tax Parcel #5-54-65) for Conditional Use approval in order to convert half of the exiting four (4) car garage into an in-law suite at the above noted location in an R-3 Residential zoned district of Bristol Township.
6. Approve Ordinance 2009-05 amending Chapter 180, Article 11, Mechanical Amusement Device and Vending Machine Tax”, establishing new rates and setting an effective date.
7. Approve Ordinance 2009-05 amending Chapter 180, Article 11, Mechanical Amusement Device and Vending Machine Tax”, establishing new rates and setting an effective date.
8. Approve Request for Payment Release #2, 2009 Milling & Paving Project, Various Roads as requested by Arawak Paving in the amount of \$12,000.
9. Approve Release Request #4, 5007 Route 13 & Beaver Dam Road, as requested by Bristol Venture LP in the amount of \$50,588.85.
10. Approve the Community Development Housing Assistance Program.
11. Approve the lowest bidder J.L. Gruber Construction, Inc., Contract 2009-09 Handicap Ramp Reconstruction, in the amount of \$179,556.39.
12. Advertise in the paper and on the website for the meetings scheduled for the open space program.
13. Mr. Sacco to prepare an ordinance regarding the Washington side of the street at Oaktree and Crabtree Drive.
14. Approve the reaffirmation for Metro Bank at the Queen Ann Shopping Center.
15. Prepare and advertise for an ordinance to prepare and advertise to refinance the current ten million dollar bond.
16. Ask Pennvest for approval to purchase and install an effluent meter for \$25,000 prior to closing.

MOTIONS TABLED:

1. Reimbursement of \$250.00 as requested by a resident Joseph Mack for damage to a vehicle.

12/17/09

	NAME	STREET ADDRESS	AGENDA (X)	OTHER (X)
1	KEN SMITH	1005 GRIEB AVE	✓	✓
2	MIKE TRYON	CROYDON PA	—	—
3	WAYNE REED	823 OAK AVE CROYDON	✓	
4	GALLUS OBERT	FREEDOM LN	X	X
5	WAYNE TURNER	CROYDON		X
6	BOB LEWIS	BRISTOL TWP	X	X
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9:15  
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