

BRISTOL TOWNSHIP  
2501 BATH ROAD  
BRISTOL, PA 19007

DECEMBER 19, 2013

COUNCIL MEETING

President Lewis called the meeting to order at 7:03 pm.

Roll Call:	Mr. Bowen	Present
	Mr. Glasson	Present
	Ms. Longhitano	Present
	Mr. Pluta	Absent (arrived @ 7:29pm)
	Mr. Tucker	Absent
	Vice President Brennan	Present
	President Lewis	Present

#### VOUCHER LIST & MINUTES

Motion by Mr. Bowen and seconded by Mr. Glasson to approve the outstanding voucher list and requisitions for December 19, 2013. *Motion carried by a vote of 5-0, with Mr. Glasson abstaining from Line # 3 on page 28 only, and VP Brennan noting he was not present at the November. 21, 2013 Council meeting.*

Motion by Ms. Longhitano and seconded by Mr. Glasson to approve the minutes from the Council meeting on November 21, 2013.

*Motion carried by a vote of 4-0, with Vice President Brennan abstaining.*

#### COMMENDATIONS

- A. Letter of Commendation was awarded to Officer Jason Mancuso and read aloud by President Lewis for his compassion shown to an elderly woman who was burglarized in the Newportville section. Acting Chief John Gobzieba presented the award to Officer Jason Mancuso.

- B. Commendation of Merit was awarded to Officer Thomas Van Winkle and President Lewis stated this commendation was read aloud at the October 25<sup>th</sup> Council Meeting. Officer Van Winkle was awarded the Commendation of Merit due to his quick and professional action in his role in saving Mr. Charles Nichol's life.
- C. Motion by President Lewis and seconded by all Council members to approve a Resolution of Commendation for the Bristol Township Wardogs Football Program on their exceptional 2013 season. Motion carried unanimously by a vote of 5-0. President Lewis also read a commendation sent to the Wardogs by Congressman Michael Fitzpatrick.

### ORDINANCES AND RESOLUTIONS

A. Motion by President Lewis and seconded by Ms. Longhitano to approve an Ordinance Amending Chapter 170, Article I: Recycling, Section 170-3, Recycling at Residential Properties, Subsection (C), Placement of Containers, by changing the specifications for suitable containers and amending Chapter 170, Article II: Municipal Waste Management, Section 170-14, Municipal Waste Management at Residential Properties, Subsection (D), Preparation for Collection, by changing the specifications for suitable containers. Motion carried unanimously by a vote of 5-0.

B. Motion by Ms. Longhitano and seconded by Mr. Glasson to approve a Resolution authorizing the acceptance of a municipal grant program contract awarded by the Redevelopment Authority of the County of Bucks for \$677,396. Manager McCauley stated this grant would fund the LED Street Light and Traffic Light Retrofitting Project and that the project was already underway and would kick into high gear in early 2014. Motion carried unanimously by a vote of 5-0.

C. Motion by Mr. Glasson and seconded by Mr. Bowen to approve a Resolution authorizing the acceptance of a municipal grant program contract awarded by the Redevelopment Authority of the County of Bucks for \$220,712. Manager McCauley stated this grant would fund emergency responder radios. Motion carried unanimously by a vote of 5-0.

D. Motion by Mr. Bowen and seconded by Ms. Longhitano to approve a Resolution authorizing the execution of contracts with Valley Power Electric Supply and Armour Electric. Motion carried unanimously by a vote of 5-0. Manager McCauley stated that the Resolution will enable an extension to March 31 on the grant funds of \$539,000. The equipment purchase was made under the Co-Stars program and installation contract with Armour Electric was made under the existing maintenance contract with the Township.

E. Motion by Ms. Longhitano and seconded by Vice President Brennan to approve a Resolution adopting the amended 2014 budget. Motion carried by a vote of 5-0 with Mr. Pluta abstaining. Manager McCauley stated that Council would be adopting an amended total budget of

\$48,088,412 since Council authorized the trash fee to be reduced from \$337 to \$317, and that the Refuse Fund would subsequently be reduced to \$5,215,085 representing a \$300,000 decrease.

F. Manager McCauley stated that the millage would be set at 23.9875 and the refuse fee would be \$317. Motion by Mr. Bowen and seconded by Ms. Longhitano to approve a Resolution establishing the millage rates for the 2014 Adopted Township Budget. Motion carried by a vote of 5-0, with Mr. Pluta abstaining.

#### 8. REPORT FROM TOWNSHIP MANAGER

Township Manager William McCauley introduced Recycling Coordinator, Scott Swichar. Mr. Swichar gave an overview of the new collection schedule and stated that every residential customer will receive a flyer with their new collection day as well as instructions on the new program. He mentioned that the carts will arrive and delivery will begin on January 6 and all carts will be delivered by the end of January. Customers should continue to use their existing trash cans until they receive the new carts. Mr. Swichar showed a video that is also available on the Township's website that includes important information concerning the new collection efforts.

Motion by Ms. Longhitano and seconded by Mr. Bowen to approve Change Order # 2 for the Croydon Milling and Paving project contract, reducing the amount of the contract by \$216,899.82, thereby adjusting the total contract price to \$ 1,488,256.73. Motion carried unanimously by a vote of 6-0.

Motion by Mr. Glasson and seconded by Vice President Brennan to approve the Change Order # 3 for the Levittown Milling and Paving project contract in the amount of \$ 167,123.29, thereby adjusting the contract total to \$ 2,768,005.18. Motion carried unanimously by a vote of 6-0.

Township Manager McCauley wished everyone a happy and safe holiday season.

#### 9. REPORT FROM TOWNSHIP SOLICITOR

Township Solicitor Randy Flager had no formal report at this time.

#### 10. NEW BUSINESS

A. Attorney for McDonald's, Mr. Tom Hecker, discussed the new McDonald's at the corner of Route 413 and Bath Roads. The property is owned by Rob Leipzinger. A conditional use hearing was opened and Mr. Anthony Caponigro of Bohler Engineering was sworn in at 7:55pm. Mr. Caponigro noted the McDonald's restaurant site will relocate from a site north of the 276 overpass to a new location south of the overpass where this is an existing auto body business. He provided an overview of the new site, storm water compliance and improvement plans.

Councilman Bowen questioned how tractor trailers will load and unload food into the site. Mr. Caponigro gave an overview of the access points on the property. Councilman Bowen questioned

whether impervious surfaces would be reduced, and Mr. Caponigro stated there would be approximately 9,000 square feet of reduced impervious coverage.

Councilwoman Longhitano questioned what will happen to the existing building at the current McDonald's site and whether native trees will be used in the landscaping of the new site. Mr. Caponigro stated that a decision on the state of the building had not been made and that native trees would in fact be used.

Councilman Bowen mentioned that the storm water management plans are mislabeled on the current plans; it is the Queen Anne Creek not the Neshaminy Creek.

Mr. Caponigro stated that the property meets all requirements for conditional use.

The hearing was closed at 8:08pm.

Motion by President Lewis and seconded by Vice President Brennan to approve an application for conditional use approval for McDonald's USA, LLC Located at Veteran's Highway and Bath Road. Motion carried unanimously by a vote of 6-0.

B. Mr. Hecker, attorney for McDonald's, provided an overview of the Resolution that includes variances already approved by the Zoning Hearing Board and land development waivers. Mike Nye of the Environmental Advisory Council questioned the MS4 requirement and whether any surface treatments would be installed. Mr. Caponigro stated that the underground system and tree plantings address these requirements, and that NPDES review is not applicable. Mike Nye questioned possible groundwater contamination and Mr. Caponigro stated that Act 2 actions are underway for possible groundwater contamination. Rob Leipzinger, owner of the proposed site, stated that the agreement will comply with Act 2 compliance. Motion by Vice President Brennan and seconded by Mr. Bowen to approve an application for preliminary and final land development for McDonald's USA, LLC Located at Veteran's Highway and Bath Road subject to the will comply items mentioned. Motion carried unanimously by a vote of 6-0.

C. Township Engineer Young stated that Rite Aid is requesting a release in the letter of credit in the amount of \$94,918.56 as they have provided the required maintenance bond. Motion by Mr. Bowen and seconded by Vice President Brennan to approve a request from Rite Aid of Pennsylvania, Inc. for a release from the letter of credit for the Rite Aid Project in the amount of \$94,918.56. Motion carried unanimously by a vote of 6-0.

## 11. OTHER BUSINESS

Councilman Bowen thanked Public Works for their efforts with the Christmas decorations.

President Lewis thanked Public Works for their efforts with recent snow removal operations.

Councilwoman Longhitano wished everyone a happy holiday.

Councilman Pluta thanked residents for allowing him to serve on the board for the last 6 ½ years and hoped that the next Council would operate more as a team. Mr. Pluta stated that he was appalled about a letter he received from Manager McCauley requesting that he return his keys and cell phone. He stated that the Township should release all compensation due to him and that his identification card should be active until December 31.

Solicitor Flager requested Council approve a new three year employment agreement between the Township of Bristol and Manager McCauley with a new annual salary of \$132,000 (2013), \$136,320 (2014), \$141,400 (2015) and \$147,060 (2016), a 5% health retirement savings plan in lieu of an existing sick time buy-back benefit , and five weeks' vacation. Solicitor Flager stated that the salary of Manager McCauley was below that of other comparable Bucks County Municipalities and that he is not in the pension system. Motion by Mr. Glasson and seconded by Vice President Brennan to approve a new three year employment agreement between Bristol Township and William J. McCauley, III. Councilman Pluta inquired if it was appropriate to make motions under the "OTHER BUSINESS" section of the agenda and that employment of the manager should be "at will" and not part of a contract. Solicitor Flager responded that it was perfectly legal and proper to make motions under, "OTHER BUSINESS" and that the Township Manager was an "AT-WILL" employee who can be terminated with 90 days' notice. *Motion carried by a vote of 5-1, with Mr. Pluta voting no.*

Township Manager McCauley expressed his appreciation to the Council for their leadership and vote of confidence.

#### OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL

Mr. James Tyler, Croydon, expressed his dissatisfaction with the School Board and their proposal to build new school buildings.

Vice President Brennan stated that Council may only make decisions on the land development aspect of the school proposal.

Councilman Bowen stated that he understands the plight of residents who pay high taxes as he would have been unable able to build his business during the 1980's if he also had to pay large school taxes at the same time.

BRISTOL TOWNSHIP COUNCIL MEETING  
DECEMBER 19, 2013

Mr. John Riotto, 2160 Maple Ave. thanked Council for their efforts. Mr. Riotto discussed his concern over the proposed school buildings, quality of education, and lack of community support. He will write the State Board of Education requesting that they stop the school from being built.

Councilman Brennan stated that Council has an obligation to vote on plans based only on their compliance with Township ordinances and regulations. Also, residents should not complain if they do not vote.

Mr. Mike Nye, Bristol Township Environmental Advisory Council thanked Councilman Pluta for his six years of service.

Mr. Joe Hogan wished everyone a happy holiday on behalf of the Gardens International Cemetery. Mr. Hogan stated that the proposed school buildings do not benefit the Township.

Councilwoman Longhitano stated that the School District's cost estimates of the proposed schools are not accurate.

Mr. Hogan and Councilwoman Longhitano stated that Bristol Township taxpayers would ultimately be responsible for the \$200 million cost of the project.

Mr. West Rexler, West Bristol stated the Township should host a celebration for the Wardogs for their accomplishments. Mr. Rexler submitted subpoenas to the Township Manger and Township Solicitor.

Motion By Ms. Longhitano and seconded by Mr. Glasson to adjourn.

*Motion carried unanimously by a vote of 6-0.*

The meeting was adjourned at 9:17pm.

1. Approved the outstanding voucher list and requisitions for December 19, 2013.
2. Approved the minutes from the council meeting of November 21, 2013.
3. Approved a Resolution of commendation for the Bristol Township Wardogs Championship season.
4. Approved an Ordinance amending Chapter 170, Article I: Recycling, Section 170-3, Recycling at Residential Properties, Subsection (C), Placement of Containers, by Changing the Specifications for Suitable Containers and Amending Chapter 170, Article II: Municipal Waste Management, Section 170-14, Municipal Waste Management at Residential Properties, Subsection (D), Preparation for Collection, by Changing the Specifications for Suitable.
5. Approved a Resolution authorizing the acceptance of a municipal grant program contract awarded by the Redevelopment Authority of the County of Bucks for \$677,396.
6. Approved a Resolution authorizing the acceptance of a Municipal Grant Program Contract awarded by the Redevelopment Authority of the County of Bucks for \$220,712.
7. Approved a Resolution authorizing the execution of contracts with Valley Power Electric Supply and Armour Electric.
8. Approved a Resolution adopting the 2014 Township Budget.
9. Approved a Resolution setting forth the millage rates for the 2014 Adopted Township Budget.
10. Approve change order # 2 for the Croydon Milling and Paving project contract, reducing the amount of the contract by \$ 216,899.82, adjusting the contract total to \$1,488,256.73.
11. Approved change order # 3 for the Levittown Milling and Paving project contract in the amount of \$ 167,123.29, adjusting the contract total to \$ 2,768,005.18.
12. Approved an application for conditional use approval for McDonald's USA, LLC located at Veteran's Highway and Bath Road.
13. Approved an application for preliminary and final land development approval for McDonald's USA, LLC Located at Veteran's Highway and Bath Road.
14. Approved a request from Rite Aid of Pennsylvania, Inc. for a reduction in the letter of credit for the Rite Aid Project in the amount of \$94,918.56.

15. Approved a new three year employment agreement between Bristol Township and William J. McCauley, III.
16. Adjourned the meeting at 9:17 PM.

Respectfully submitted,

Tammy L. Hardy  
Township Secretary