

## BRISTOL TOWNSHIP

2501 BATH ROAD  
BRISTOL, PA 19007

January 21, 2016

## COUNCIL MEETING

President Bowen called the meeting to order at 7:16 PM.

Roll Call:	President Bowen	Present
	Mr. Allen	Present
	Mr. Antonello	Present
	Mr. Glasson	Present
	Vice President Longhitano	Present
	Mr. Monahan	Present
	Mrs. Murphy	Present

Council President Bowen announced that the monthly reports are available for review in the Township Manager's Office and public comment on land development and official items will be taken during the meeting. In addition, residents may offer general comments at the end of the meeting.

Council President Bowen stated matters of personnel and litigation items were discussed in executive session prior to the meeting.

### VOUCHER LIST & MINUTES

- A. Call for a motion to approve the outstanding Voucher List and Requisitions for January 21, 2016.

*Motion by Mr. Glasson and seconded by Mr. Antonello to approve the outstanding voucher list and requisitions for January 21, 2016.*

*Motion carried unanimously by a vote of 7 – 0.*

- B. Call for a motion to approve minutes from the Council Meeting on December 17, 2015.

Call for a motion to approve minutes from the Council Reorganization Meeting on January 4, 2016.

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*Motion by Mrs. Murphy and seconded by Mr. Glasson to approve the minutes from the Council Meeting on December 17, 2015.*

*Motion carried unanimously by a vote of 7 – 0.*

*Motion by Mrs. Murphy and seconded by Mr. Glasson to approve the minutes from the Council Reorganization Meeting on January 4, 2016.*

Mr. Antonello requested an amendment to the January 4 minutes under the appointment of Gilmore & Associates to reflect his response to Mr. Bowen as:

“Yes and I certainly appreciated it but I would expect that the manager’s office and the Township would provide the appropriate information for me to make decisions on such as the rate schedule for Gilmore & Associates and the rate schedule for the attorney not something I need to ask for.”

*Motion by Mrs. Murphy and seconded by Mr. Glasson to approve the minutes from the Council Meeting on January 4, 2016 as amended.*

*Motion carried unanimously by a vote of 7 – 0.*

### COMMENDATIONS, PRESENTATIONS and REPORTS

#### A. State of the Township Address

President Bowen presented the 2016 State of the Township Address. A copy of the State of Township Address is attached to these minutes.

#### B. Presentation of Certificates of Commendations for exemplary recycling efforts.

Deputy Township Manager, Scott Swichar, congratulated the residents of Bristol Township for increasing recycling for the second straight year.

Mr. Swichar stated that as part of the “Get Caught Recycling Campaign” the Township’s Environmental Officer inspects resident’s trash and recycling containers to make sure they are recycling. He stated that the Township randomly picks two residents who are committed to recycling at home and making Bristol Township a cleaner-greener place to live with a \$50 gift card at the monthly Council meeting.

Mr. Swichar thanked TD Bank for their sponsorship of Bristol Township’s “Get Caught Recycling Campaign.” Swichar thanked township residents for their recycling efforts, and then presented the Swank family of Levittown and the Bernhart family of Levittown each with a \$50 gift card from TD Bank.

#### C. Appointment to Vacancy Board: Consideration to Adopt.

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*Appointment was tabled to a later date by consensus.*

### D. Appointment to Environmental Advisory Committee: Consideration to Adopt.

Ellen Miller, Chair of the EAC, recommended that April Whitley of 6809 Silvi Avenue be appointed to the Environmental Advisory Committee.

*Motion by Mr. Antonello and seconded by Mr. Glasson to appoint April Whitley to the Environmental Advisory Committee.*

*Motion carried unanimously by a vote of 7 – 0.*

President Bowen stated that he knows of others that would like to be appointed to the EAC, but there are only so many seats that can be appointed.

Ms. Miller stated they would love to have more people involved and that one does not need to be on the board to be a part of their meetings. Ms. Miller reminded Council that the EAC has moved their meetings from the fourth Wednesday of the month to the first Wednesday of the month at the Municipal Building starting at 7:00 pm. The EAC will have four educational programs during the course of the year.

Mr. Bowen asked that once the schedule of speakers is ready to please make sure Council knows so that those dates can be announced at the Council Meeting.

Ms. Miller stated the first speaker will be in April to cover the topic of composting.

## ORDINANCES AND RESOLUTIONS

- A. A Resolution Approving the Filing of a Bucks County Municipal Open Space Program Grant Application and Authorizing Execution of the Application by the Township Manager: Consideration to Adopt.

Township Manager McCauley stated the Township has \$1 million dollars allocated from Bucks County through their bond issue for the preservation of open space and if Council sees fit we would make an application to Bucks County to acquire the old Miller Trailer Park in Croydon. After Council adopts the resolution, an appraisal of the property is required to be performed commencing in an agreement with the property owner. The Township's matching share is 25% of the purchase price as well the requirement by the Township to pay any occurred expenses.

*Motion by Mr. Monahan and seconded by Mr. Glasson Approving the Filing of a Bucks County Municipal Open Space Program Grant Application and Authorizing Execution of the Application by the Township Manager.*

Question from the floor was raised if the property would be used as open space.

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President Bowen responded yes.

Mr. Antonello stated yes it would be open space but that does not preclude down the road that if a proposal ever came across to make it more of a park or something we would consider it but right now we are securing the property to be undeveloped open space.

President Bowen stated that at one time they wanted to put 40 townhomes on this space and Council did get it down to 24 homes but that was still too much and it is best to leave it as open space. He further stated that former Council member Troy Brennan suggested that this property be acquired for open space six months ago.

*Motion carried unanimously by a vote of 7 – 0.*

Project Manager, Randee Elton, explained that the vacant home list has been inspected, documented, categorized and expanded. This is list of +/- 200 homes. Three tiers have been established with Tier 1 properties, 28 homes being recommended for immediate blighting and most likely demolished. Tier 2 are properties that can be rehabilitated and Tier 3 are vacant properties being maintained. Blight Reports have been created for 10 properties from the Tier 1 list. The criteria for picking these properties was three were previously approved, three have ignored code enforcement notices (two owned by the same owner) and three are bank owned. The Blight Reports contain gathered information of violation history with copies of notices and citations sent and district court outcomes, any municipal liens, delinquent taxes, zoning district, history of police activity for the property, title report, appraisal and pictures of the property and the surrounding properties. Ms. Elton advised the properties were presented to the Blight Committee and Planning Commission; both passed Resolutions recommending they be blighted. Ms. Elton stated that the next step is for Council to adopt Resolutions tonight for each property declaring them as blighted.

President Bowen asked the total number of the vacant properties within the Township.

Ms. Elton answered that the total number of vacant and abandoned homes is over 200.

Mr. Antonello asked if the RDA sells the properties after they have been raised or demolished as a vacant lot or do they reconstruct.

Ms. Elton stated that at some point after a meeting with Mr. McCauley and the RDA a decision will be made on whether to demolish the structures prior to marketing or selling them as is.

Mr. Bowen stated that some of these properties need to come down now due to the safety hazard alone that they pose on the community.

Mr. McCauley advised after declaring blight, a letter is required to be sent to the property owner advising the property has been declared as blight and the owner has 30 days to either bring the property into compliance or the property may be taken through eminent domain. Mr. McCauley

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explained if no action is taken by the property owner within the 30 day compliance period, the completed blight report will be sent to the Redevelopment Authority of Bucks County (RDA). The RDA has the power to purchase these properties at fair market value by filing a Declaration of Taking. The Township has set aside \$1 million dollars as seed money that will pass through the RDA for purchase. The RDA puts the property out to bid to be demolished or sells it to a party to be rehabilitated. Upon completion of the sale, the RDA transfers the sale proceeds to the Township since we paid all costs out of the \$1,000,000 appropriation.

Mr. Bowen explained the Township does not want to be in the real estate business but cannot allow these properties to sit vacant and unsafe as they have been. In addition, the Township is hoping to send a message to property owners and banks that the Township will not tolerate properties to remain vacant, unsightly and unsafe.

Ms. Elton presented the 10 properties recommended for blight. 514 Magnolia Avenue, 1712 Prospect Avenue, and 3716 Elmhurst Avenue were all previously blighted in 2013; 1020 Anne Street and 843 Stella Avenue are both owned by the same out of state property owner; 5807 Fleetwing Drive is causing code concerns with attached dwellings; 924 Center Avenue; the property owner is deceased; and 823 Logan Avenue, 1206 Spencer Avenue and 1738 Maple Avenue are all bank owned.

- B. A Resolution Declaring 514 Magnolia Avenue, Tax Map #05-008-156, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

Proposed property has been vacant since 2010, has sewer liens in excess of \$3,000. This property was recommended for blight in 2013 and police have been called to this location 16 times since 2009. The Township has since gone to the property boarded it up and cleaned the area. A lien totaling \$3,100.00 has been placed on the property.

Township Solicitor, Randall Flager, stated to go through all of the Resolutions making one motion at the end.

- C. A Resolution Declaring 1712 Prospect Avenue, Tax Map #05-009-394, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

Property owner of the proposed property is either deceased or living out of state. The property has been vacant since 2010 and has various code violations. The property has sewer liens in excess of \$11,000 and owes property taxes in excess \$18,000. This property was recommended for blight in 2013.

- D. A Resolution Declaring 3716 Elmhurst Avenue, Tax Map #05-059-106, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

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Proposed property has been vacant since 2009. The property owner is deceased and the police had been called to the property in 2009 for a death investigation and the incident report details the unsafe conditions of the property including a partially collapsed kitchen floor. The property has sewer liens in excess of \$4,000 and real estate taxes in excess of \$34,000.

- E. A Resolution Declaring 1020 Anne Street, Tax Map #05-053-035, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

Proposed property has an absentee landlord and has been vacant since 2004. This property has been condemned.

- F. A Resolution Declaring 843 Stella Avenue, Tax Map #05-54-050, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

Proposed property has the same owner as 1020 Anne Street and has been vacant since 2005. The property was previously boarded up but recently the boards were removed. This property has a small lien for lawn services. This property was brought to court last month and the landlord was found guilty in absentia.

- G. A Resolution Declaring 5805 Fleetwing Drive, Tax Map #05-026-263, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

Proposed property is an attached dwelling and the owner has received notice of violations and has not complied nor do they live at the property. The property has been vacant since 2010. Complaints have been received by the neighbor. The property is delinquent in real estate taxes in excess of \$7,500.

- H. A Resolution Declaring 924 Center Avenue, Tax Map #05-026-263, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

Proposed property owner is deceased. The property has been vacant since 2014 and is currently boarded up but has trash and debris located throughout the outside of the home and garage. There is a small sewer lien placed on the property since it was left vacant.

- I. A Resolution Declaring 823 Logan Avenue, Tax Map #05-054-029, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

Proposed property is banked owned and has been boarded up and vacant since 2010. The property owner is deceased. The sewer lien is in excess of \$3,800 and real estate taxes in excess of \$1,200.

- J. A Resolution Declaring 1206 Spencer Avenue, Tax Map #05-009-207, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

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Proposed property is bank owned since September of 2015. There is a small sewer lien and none of the Notice of Violations that have been sent by the Township has been answered.

- K. A Resolution Declaring 1738 Maple Avenue, Tax Map #05-009-332, as Blighted in Accordance with the Urban Redevelopment Law. Consideration to Adopt.

Proposed property was taken over by the bank in October of 2015 and has a sewer balance in excess of \$4,000. The bank has been non-compliant to all enforcement action sent by the Township.

Randall Flager asked that the Tax Map ID numbers for Resolutions I and J be corrected as they have the same number for the two properties.

Ms. Elton stated that the Tax Map ID for 1206 Spencer Avenue property is #05-009-207.

Mr. Flager stated that there is a motion in order from Council to condemn all ten of the properties listed and adopt a resolution for each of them.

*Motion by Mrs. Murphy and seconded by Mr. Allen to Blight the Listed Properties in Accordance with the Urban Redevelopment Law.*

Tom Devlin, 15 Goodturn Lane, asked if the Township budgeted for a construction company to come in for demolition.

Mr. Antonello stated the RDA will take care of contracting out any of the other services or needs that will be done to make those houses either sellable or be demolished.

Mr. Antonello took the opportunity to briefly state that he thinks this is a terrific program and that the Council has done a very good job managing the money. The funding is there to allocate \$1 million dollars as hopefully a revolving account and that money will come back to the Township as these houses are disposed of and we continue to blight more and work our way through this unfortunately large inventory of problem homes.

Mr. Devlin asked about the safety issue for the residents if some of these homes are demolished.

Council assured the residents that all safety measures will be taken and enforced.

Joe Notarianni of Indian Creek asked why it takes five years for these properties to be dealt with, why didn't it happen sooner?

President Bowen stated that the Township is following the guidelines of the law set by Harrisburg.

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Mr. McCauley stated that the bottom line is money. The Township was not in the position previously to appropriate \$1 million dollars. The long and short of it was finances and getting the commitment from the RDA to work in cooperation to condemn the properties.

Mr. Natorianni further asked why the owners were not taken to court.

Mr. McCauley stated that we go through the enforcement process and the person may get fined and then we lien the property. The fine becomes a lien on the property, but the property does not get cleaned up.

Ms. Elton further stated that one of the conditions of blight is that property owners have been given the opportunity to bring the property into compliance. The fines and liens do not get us where we need to go in getting the properties into compliance.

Mr. Flager stated that the Township has been in court with some of these property owners for years.

*Motion carried unanimously by a vote of 7 – 0.*

### REPORT FROM TOWNSHIP MANAGER

Mr. McCauley stated that in conjunction with Kevin Dippolito, Emergency Management Coordinator, we have prepared our Declaration of Disaster to be issued tomorrow January 22 for the upcoming snow event. At present time the Declaration will go into effect at 9:00 pm on January 22 and keeping in place tentatively to midnight Sunday, January 24.

McCauley asked that residents remove their cars from the streets in order to allow the success of the Township's snow plowing efforts. The roads were brined today and will be again tomorrow and we have a new salt shed that has yet to be put to use.

Ms. Longhitano asked for an update on the recent meeting for the sidewalks along New Falls Road.

McCauley stated that this is something he would like to discuss with the Council as a whole and report on the subject is forthcoming. PennDot as they are commonly apt to do wants the Township to enter into a maintenance agreement for sidewalks on a state highway. As you are well aware the Township does not maintain sidewalks as that is the responsibility of the property owner. This is a matter that Council will need to give some consideration to and decide if they want to make an exception. This is a safety hazard, it's a State highway and a State responsibility and McCauley is not sure why they want the Township to enter into a maintenance agreement for the sidewalks.

Ms. Longhitano asked if the other Townships entered into the agreement.



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Resident stated a few years ago during a meeting with Council that if she paid for the sidewalks the Township would maintain them. Now that PennDot is paying for the sidewalks why won't the Township maintain.

Mr. McCauley stated that the only sidewalks the Township maintains are those on Township property and that we have an Ordinance that requires the property owners to maintain their sidewalks so this would be the property owners responsibility under our Ordinance. Penndot is asking the Township to do something that is totally out of the norm and although Mr. McCauley understands we barely have enough money to maintain our own property and some of our parks, this is something Council will need to make a decision on.

President Bowen stated that Council will need all the information in order to make a decision.

Township Manager McCauley stated that this is a safety issue on a State Highway and yet another example of the State balancing their budget on the back of municipalities.

### REPORT FROM TOWNSHIP SOLICITOR

Randall Flager issued a warning for residents, especially senior citizens, concerning phone calls being placed impersonating the federal government to scam money from the resident.

Flager & Associates has prepared a 24 page Confidential Memo per the request of Council on the state of the law as it refers to group homes, including but not limited to recovery homes otherwise known as sober living homes. Council is being asked to authorize Flager & Associates to draft proposed changes to our zoning ordinances in order to place reasonable regulations on group homes, including but not limited to recovery homes otherwise known as sober living homes. The intent of these proposed changes would be to be in compliance with the Fair Housing Act and all other applicable Federal and State Laws. Mr. Flager asked that a motion and a second be brought by Council.

Ms. Longhitano stated she would announce her updates first and then make the motion for Mr. Flagers' request.

Ms. Longhitano stated that she met with Congressman Fitzpatrick and Representatives Davis and Galloway on Monday. Representative Davis currently has a proposed bill going to the state, it is not mandatory but voluntary however the way it is structure it will be working hand in hand with the County and Probation Office etc.

Ms. Longhitano read Mrs. Davis' memorandum which outlines her bill into the record.

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Ms. Longhitano moved to declare Bristol Township's Zoning Ordinance substantially invalid because it does not provide for recovery homes or houses and proposes that the Township prepare a curative amendment to overcome such invalidity by defining such uses, providing for such uses in appropriate zoning districts and providing specific criteria that such uses must meet in order to operate in the Township.

Ms. Longhitano made a motion for a curative amendment to re-zone Bristol Township's zoning. The motion was seconded by Mr. Antonello.

Mr. Flager stated that his motion covered what Ms. Longhitano is proposing without using the term "curative amendment" as that may lead to a contractor coming in and challenging the ordinance.

Ms. Longhitano stated that she was informed that a curative amendment will not stop any other process coming into the Township that a curative amendment is solely for the purpose of re-zoning.

Mr. Flager stated that when the draft is accepted and it goes before the Bristol Township Planning Commission and the Bucks County Planning Commission that in effect during that time the Township would not have to accept applications for any of these homes pending adoption. The Pending Ordinance Doctrine is recognized by our courts.

Ms. Longhitano withdrew her motion for a curative amendment to re-zone Bristol Township's zoning.

Ms. Longhitano moved to appoint Sean Kilkenny as Special Counsel to handle the Recovery House Issue. Motion was seconded by Mr. Antonello.

President Bowen inquired to whether Mr. Kilkenny was under indictment.

Ms. Longhitano stated that Mr. Kilkenny is an outstanding municipal attorney that does nothing but municipal law.

Mr. Antonello stated that this issue has been percolating within our Township for quite some time and that the entire Council is concerned with this issue. Mr. Antonello read into the record Mr. Kilkenny's work experience and believes Council should take into consideration appointing Special Counsel that can dedicate the time to this important issue.

Mrs. Murphy stated this should have been brought up to Council long before now.

A resident asked if the motion was going to a vote.

Mrs. Murphy and President Bowen stated they do not know who this Counsel is nor have they been given any information before now.

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Mr. Flager cautioned the audience to behave appropriately with comments as it has been seen in cases that rulings can be affected by venomous and unruly behavior. Flager further stated that no one on Council wants to discriminate against people who are a protected class.

Mr. Antonello reiterated that Council's goal is to protect the health and safety of every Bristol Township resident. The discussion is based on what is the best action moving forward and consider bringing help in on this issue.

Mr. Glasson stated that when he was elected, Council had procedures on how to conduct ourselves when making recommendations to Council and when he (Glasson) has no idea who this person is and that he is appalled that anyone would make a motion to appoint someone who not all of Council is familiar with and that this was never discussed. A motion has been suggested by the Solicitor who we hired and Council can't even get to that because of other motions for Special Counsel are being made and by grandstanding. All of Council has worked hard at investigating this issue and trying to improve the quality of life for the residents but it should not be done from an illegal and unformed standpoint.

Ms. Longhitano asked if that was a conflict being that Council expected Mr. Allen and Mr. Antonello to vote on something during the Reorganization Meeting without having any information in front of them at all.

Glasson stated that was concerning the Assistant Secretary.

Ms. Longhitano stated no it was about engineers.

Mr. Flager stated there is a legal motion that has been seconded on the floor.

Mr. Monahan asked Mr. McCauley if that article was in the paper concerning Mr. Kilkenny?

Mr. McCauley confirmed that there have been articles has been in the Philadelphia Inquirer and the Allentown Morning Call and that Mr. Kilkenny's former law firm was named prominently in the three indictments of Allentown City Officials.

Mr. Antonello stated he was unfamiliar with the articles that Mr. McCauley is referring to and asked if Mr. Kilkenny was named specifically or just his former firm.

*Motion denied by a vote of 4-3 with President Bowen, Mr. Glasson, Mr. Monahan and Mrs. Murphy voting no.*

Mr. Flager asked Council to make a motion authorizing the solicitors to draft proposed changes to the zoning Ordinance in order to put reasonable regulations on Group Homes including but not limited to Recovery Homes otherwise known as Sober Living Homes. The intent is that the

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proposed changes would be in compliance with the Fair Housing Act and other applicable Federal and State Laws.

*Motion by Ms. Longhitano and seconded by Mr. Glasson authorizing the solicitors to draft proposed changes to the zoning Ordinance in order to put reasonable regulations on Group Homes including but not limited to Recovery Homes otherwise known as Sober Living Homes. The intent is that the proposed changes would be in compliance with the Fair Housing Act and other applicable Federal and State Laws.*

*Motion carried unanimously by a vote of 7 – 0.*

### NEW BUSINESS

#### A. Proposal for Annual Audit of Financial Statements: Consideration to Accept.

Mr. McCauley stated that Council is in receipt of a proposal from the Township's incumbent CPA Firm, Maille, for a three year proposal to perform the annual audit of financial statements. The prices proposed being \$33,000 for the 2015 audit, \$33,500 for the 2016 audit and, \$34,000 for the 2017 audit. McCauley asked if Council for a motion to accept the audit proposal.

*Motion by Ms. Longhitano and seconded by Mr. Antonello to Accept the Three-Year Proposal from Maille, to Perform the Annual Audit of Financial Statements.*

*Motion carried unanimously by a vote of 7 – 0.*

#### B. Applications of Zober Properties LP, 451 Magnolia Ave., Croydon, requesting Preliminary & Final Land Development approval to construct a 17,069 square foot building addition on existing property located at 500 Coventry Lane, Croydon (Tax Parcel 5-008-153) in an M-2 Heavy Manufacturing zoned district: Consideration to take Appropriate Action.

Scott Mill, of Van Cleef Engineering Associates, LLC introduced Garrett Bergey, of Van Cleef, and Joel and Rich Zober owners of the property.

Mr. Mill stated that the property is located at 500 Coventry Lane Croydon. The site is approximately seven acres and consists of one block bounded on all four sides by four different streets, Coventry Lane, Lakeside Avenue, Magnolia Avenue and Overlook Road. The site has two existing buildings. Several areas of parking and parking isles surround the entire site and extend between the two buildings. The west end of the site is an existing storm water basin and the site drains to left essentially to that basin and eventually to Neshaminy Creek. The basin in an infiltration basin meaning the water goes into the basin and percolates into the ground and is aided by the vegetation that is in the basin in terms of filtering the storm water that drains into the basin. Cyclone or chain link fencing encloses the almost the entire site.

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The applicant is proposing the construction of a 17,069 square foot building between two (2) existing buildings. The purpose of the new building would be for storage. The existing and proposed use is manufacturing use (use F 1) which is permitted in the M-2 Heavy Manufacturing zoning district. The applicant also proposes the upgrade ADA parking areas and driveway entrances to meet current requirements.

The applicant is proposing storm water runoff from the proposed building and impervious coverage by tying the roof drains into the existing storm sewer collection system which drains into on-site storm water management facilities.

Mr. Glasson stated that the storm water improvements looked good and asked Township Engineer, Kurt Schroeder of Gilmore & Associates, if he agreed.

Mr. Schroeder stated that everything has been documented as needed and that there are 11 total waivers requested including but not limited to providing sidewalks along abutting streets, street trees, curbs, and impervious service being reduced.

Mr. Schroeder stated it is an expansion of a good business in the Township.

*Motion by President Bowen and seconded by Mr. Monahan to approve the Applications of Zober Properties LP, 451 Magnolia Ave., Croydon, requesting Preliminary & Final Land Development approval to construct a 17,069 square foot building addition on existing property located at 500 Coventry Lane, Croydon (Tax Parcel 5-008-153) in an M-2 Heavy Manufacturing zoned district.*

*Motion carried unanimously by a vote of 7 – 0.*

Mr. McCauley asked President Bowen to specify for the record that Council is approving Preliminary and Final Land Development. President Bowen confirmed.

Mike Nye, of Indian Creek and voting member of the Township's Environmental Advisory Committee, stated he had a variety of concerns with this plan back in December and brought his concerns to the Zober Company and they have addressed all of those concerns with what he is sure was a considerable amount of money and manpower. He was also concerned of the cleanliness of the storm water basin but that is well mentioned in their plan and as long as that remains clean and free of oil he along with the EAC have no objection to this plan moving forward.

Mr. Antonello and President Bowen thanked him for his work and attention to this plan.

Mr. Schroeder stated that Gilmore & Associates politely asked if they could overreach to what they are regulated to ask of them and asked if they would take care of an existing basin that they could have otherwise leave in place and they voluntarily send they would and they cleaned out the basin to its original design standard and they would enter into the typical operational maintenance

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agreement that we customarily have for new developments to ensure maintenance from future property owners.

Ed Zanine, of Flager & Associates stated that we do have a Resolution in order that has all proposed 11 waivers and that the applicant has no objections to the proposed Resolution and is prepared to sign should Council approve.

*Motion carried unanimously by a vote of 7 – 0.*

Mr. McCauley thanked the Zoberers for being taxpayers and expanding their business in Bristol Township.

- C. Request from Alcoa Real Estate dated November 25, 2015 for an Escrow Release for the site improvements for the Maple Avenue Subdivision: Consideration to take Appropriate Action.

Mr. Schroeder stated that this is an escrow release for a bond for a subdivision off Maple Avenue that was constructed in 2008 or 2010 and apparently the owner never came in to request the escrow release. He stated that substantially all the improvements were made that were being held based on the construction escrow.

The applicant's request is that Council considers releasing all of the escrow and releasing the developer from their bond. And not require the typical 18 month maintenance period with the 15% security being held as retain age due to the amount of time that has passed. Mr. Schroeder's recommendation to Council is to approve releasing Alcoa Real Estate Performance Bond number B 167227 from the Selective Insurance Company of America for the amount of \$135,440.25: Consideration to take Appropriate Action.

*Motion by Mrs. Murphy and seconded by Mr. Glasson to release Alcoa Real Estate Performance Bond number B 167227 from the Selective Insurance Company of America for the amount of \$135,440.25.*

- D. Request from Wawa Inc. dated January 4, 2016 for an Escrow Release for the Property located at 3260 Veterans Highway: Consideration to Take Appropriate Action.

Mr. Schroeder stated that this was a request for final escrow release, but that Gilmore & Associates is recommending a partial release at this time due to the turnpike still has their construction coming across the parking lot and therefore they were unable to finish their work. The recommendation is for a partial release in the amount of \$233, 840.16 which will leave an escrow balance of \$60,709.48.

*Motion by Mr. Monahan and seconded by Mrs. Murphy for an Escrow Release in the Amount of \$233,840.16 for Wawa Inc.*

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*Motion carried unanimously by a vote of 7 – 0.*

### OTHER BUSINESS

Mrs. Murphy stated that a Finance Committee has been created and asked that she, Mr. Antonello and Mr. Allen serve on that committee.

Mr. Antonello stated that along those lines if Council wants to move forward with what is in the ordinance we have to create a Zoning & Pension Committee. He requested from President Bowen to discuss this at a later date.

Ms. Longhitano asked a resident to come to the podium to speak. Brian Kennedy, owner of Independence Lodge Sober Living in Goldenridge, spoke of how he runs his home with high standards and that the gentlemen in his homes are there to help the community.

President Bowen congratulated Mr. Kennedy on his recovery and asked why he thought the state has not regulated the rogue homes. Mr. Kennedy stated he believes they are working on it in Harrisburg.

Mr. Bowen asked on behalf of a resident why he chose Bristol Township to open his recovery homes.

Mr. Kennedy stated that the availability of 12 Step Programs and the accessibility of public transportation were contributing factors.

Mr. Antonello stated that the Council is concerned for the health and safety of all our residents and that includes the residents of the recovery homes. Council as well as residents know that some houses are here purely for profit and not the welfare of the residents. He thanked Mr. Kennedy for attending.

Mr. Monahan stated that working with Livengren that people work with the best in Gene DiGirolamo.

Mr. Glasson wanted to recognize Mr. Kennedy for stating that when Debbie Juno comes out to the house she does her due diligence that the house is in compliance. Council gets inundated with complaints that L&I does not do anything.

Mr. Antonello made a motion to be reopen the approved 2016 Budget to get a more in depth look.

Mrs. Murphy stated that all we have to do is meet with Mr. McCauley and everything can be addressed if there is a fact finding.

Mr. Antonello stated he is aware but nothing can be done if the budget is not reopened and asked Council to consider the motion.

## BRISTOL TOWNSHIP COUNCIL MEETING

January 21, 2016

*Motion by Mr. Antonello and seconded by Ms. Longhitano to reopen the 2016 Approved Budget.*

Mrs. Murphy asked what adjustments Mr. Antonello was looking to find.

Mr. Flager stated for the record that when you reopen a budget it is to either raise or lower taxes. Council has until the 15<sup>th</sup> of February to reopen and Council has the right to transfer monies during the year.

*Motion carried by a vote of 4-3. President Bowen, Mr. Monahan and Mrs. Murphy voted no.*

### OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL

John McClay stated he would like to be on Council. President Bowen offered to assist him on the proper procedures to become a Council Member.

George Herder, 25 Gooseneck Road, spoke on the recovery home issue and how what Ms. Longhitano and Ms. Davis are trying to accomplish is not what goes on in the Township. He stated that Mr. Kennedy paints a nice picture but that is not what is going on. Bristol Township needs to look to Falls Township. The frustration is about to get more intense with the coming snow and the recovery homes. Profitability is the bottom line.

Mr. Flager cautioned the audience to maintain their composure during the meeting concerning Recovery Homes.

Mike Nye, Indian Creek, asked that a copy of the engineering plans of Bristol Township be made available to the EAC to be studied off site. President Bowen asked Mr. Schroeder if an electronic version of the plans could be sent to the EAC.

West Wexler, of Western Ave, stated that the residents have the right to speak about what they want and need to speak now. He inquired to whether the missing money from the sewer department was investigated and why it was not on the 2006 Financial Audit. Where is the electric being derived from for the new pole barns? He commented on the future of the Police Department and the status of the sewer moratorium.

Mr. Antonello stated he will speak with his fellow Council Members and take the bid opening process under advisement.

*Motion by President Bowen and seconded by the entire Council to adjourn the meeting at 9:40 pm.*



RECAP OF JANUARY 21, 2015 TOWNSHIP COUNCIL MEETING

1. Approved the outstanding Voucher List and Requisitions from January 21, 2016.
2. Approved the December 17 and January 4 Council Meetings Minutes.
3. Presented Monthly Awards for Exemplary Recycling Performance.
4. Appointed April Whitley to the EAC
5. Approved a Resolution for the Filing of a Bucks County Municipal Open Space Program Grant Application and Authorizing Execution of the Application by the Township Manager
6. Approved 10 Resolutions Declaring Designated Properties as Blighted in Accordance with the Urban Redevelopment Law.
7. Defeated a Motion to Appoint Sean Kilkenny as Special Counsel for the Recovery Home Issue.
8. Approved a Motion Authorizing the Solicitors to draft proposed changes to the zoning Ordinance in order to put reasonable regulations on Group Homes including but not limited to Recovery Homes otherwise known as Sober Living Homes. The intent is that the proposed changes would be in compliance with the Fair Housing Act and other applicable Federal and State Laws.
9. Accepted a Proposal for Three- Year Annual Audit of Financial Statements
10. Approved an Applications of Zober Properties LP, 451 Magnolia Ave., Croydon, requesting Preliminary & Final Land Development approval to construct a 17,069 square foot building addition on existing property located at 500 Coventry Lane, Croydon (Tax Parcel 5-008-153) in an M-2 Heavy Manufacturing zoned district.
11. Approved the Request from Alcoa Real Estate dated November 25, 2015 for an Escrow Release for the site improvements for the Maple Avenue Subdivision
12. Approved Request from Wawa Inc. dated January 4, 2016 for an Escrow Release for the Property located at 3260 Veterans Highway.
13. Approved Motion to Reopen the 2016 Approved Budget.
14. Meeting was adjourned at 9:40 pm.

BRISTOL TOWNSHIP COUNCIL MEETING  
January 21, 2016

Respectfully submitted,

Kate Murphy  
Township Secretary