

BRISTOL TOWNSHIP

2501 BATH ROAD
BRISTOL, PA 19007

AUGUST 15, 2013

TOWNSHIP COUNCIL MEETING

President Lewis called the meeting to order at 7:13 pm.

Roll Call:	Mr. Bowen	Present
	Mr. Glasson	Present (Arrived @ 8:24PM)
	Ms. Longhitano	Present
	Mr. Pluta	Absent
	Mr. Tucker	Absent
	Vice President Brennan	Present
	President Lewis	Present

President Lewis stated that Mr. Glasson will be late as he had a work emergency, Mr. Pluta had a conflict of schedule and Mr. Tucker was sick. President Lewis asked to say a prayer for him to get well soon.

President Lewis recognized the presence of Congressman Mike Fitzpatrick and requested that Congressman Fitzpatrick be allowed to speak before official action items were discussed.

Congressman Michael Fitzpatrick, who represents Bristol Township in the 8th Congressional District, noted that he is the Township's representative and voice in Congress. Congressman Fitzpatrick indicated that since he is a resident of Bucks County, he is in a position to be an effective advocate for Bucks County residents. He is touring several municipalities to listen to concerns from the residents.

Congressman Fitzpatrick stated that it was important to work with Bristol Township to insure that police protection continues and improves throughout the Township. Congressman Fitzpatrick wanted to thank Council for meeting as well as their efforts in the police negotiation process of Venice Ashby. Congressman Fitzpatrick also spoke about the Bill he authored, Bill Number 22. He stated that the Bill would enable seniors to get reverse mortgages. As a result, residents would be able to remain in their homes by using the equity in their homes.

Congressman Fitzpatrick also stated that he spoke with the Secretary of Housing & Urban Development, Mr. Shaun Donovan, about funding federal programs despite limited resources.

President Lewis thanked Congressman Fitzpatrick for the role he played in bringing the parties together to negotiate the Venice Ashby policing situation. President Lewis also thanked the county commissioners, Housing Authority, the Township Manager, Township Solicitor and the Council, particularly Mr. Bowen and Ms. Longhitano for helping to reduce these police expenses.

Randy Flager, Township Solicitor, also thanked Congressman Fitzpatrick for his help with the Venice Ashby negotiations.

Motion By President Lewis and seconded by Ms. Longhitano to change the current agenda, in honor of Congressman Fitzpatrick's presence, to bring the agreement up for Venice Ashby Police Protection reached by Council and all parties involved.

Motion carried unanimously by a vote of 4-0.

Mr. Randy Flager, Township Solicitor discussed the Policing Agreement, with an effective date of August 20, 2013. The agreement with BCHA increases funding from \$128,000 to \$150,000, has a one year term, and requires 90 days' notice to discontinue the agreement. Bucks County Commissioners also committed to providing an additional \$40,000 from casino grants or other types of grants. As a result, the Township will receive a total of \$190,000 to pay for high quality community policing for the Venice Ashby community.

Motion By President Lewis and seconded by Ms. Longhitano to approve the Venice Ashby Policing Agreement with the Bucks County Housing Authority.

Motion carried unanimously by a vote of 4-0.

Council President Lewis stated that monthly reports are available for review in the Township Manager's Office and public comment on Land Development and official action items will be taken during the meeting. In addition, residents may offer general comments at the end of the meeting under public comments.

VOUCHER LIST & MINUTES

- A. Call for a motion to approve the outstanding Voucher List and Requisitions for August 15, 2013.

Motion by Mr. Bowen and seconded by Vice President Brennan to approve the outstanding Voucher List and Requisitions for August 15, 2013.

Motion carried unanimously by a vote of 4-0.

- B. Call for a motion to approve the Minutes from the regular Council Meeting of July 18, 2013.

Motion by Ms. Longhitano and seconded by Mr. Bowen to approve the Minutes from the Council Meeting of July 18, 2013.

Motion carried unanimously by a vote of 4-0.

PUBLIC HEARINGS

- A. Application of Taco Bell Located at Veterans Highway & Rockview Drive, T.M.P. # 05-027-1126, for Conditional Use Approval: Consideration to take Appropriate Action.

Mr. Randy Flager, Township Solicitor, spoke to Council and recommended if Council approves the Conditional Use Approval, they should immediately move to action item 10B.

Mr. Tom Hecker, from Taco Bell, discussed the overall plan and introduced Mr. John Pettit, Licensed Engineer of John Pettit & Associates who was sworn in at 7:34. Mr. Pettit discussed the Taco Bell site. The site entrance is off of Veteran's Highway and will consist of a 2,652 square foot restaurant with a drive-through and 66 seats.

Councilman Bowen questioned why the entrance to Taco Bell is not being located at the same intersection as the traffic light. It was determined that PennDOT had controlled the access as Route 413 was a state highway.

Mr. John Pettit answered that you can go to the back of the driveway to exit the facility. They are still hoping to find another user for another portion of the property and to make a connection to the college facility at a later point.

Mr. Ken Worthington, sworn in at 7:45pm, questioned if Taco Bell could reconfigure the parking lot if PennDOT does not approve it.

Ms. Patricia Nichols sworn in at 7:46pm questioned whether the plan included sidewalks.

Mr. Steven Sliwinski sworn in at 7:47pm, questioned whether there was going to be two Taco Bell locations. He was advised that the existing site would be closing.

Mr. Flager closed the public hearing at 7:48pm

Motion By Mr. Bowen and seconded by Vice President Brennan to Grant the Conditional Use of Taco Bell Located at Veterans Highway & Rockview Drive, T.M.P. # 05-027-116.

Motion carried unanimously by a vote of 4-0.

- B. Application of Taco Bell Located at Veterans Highway & Rockview Drive, T.M.P.# 05-027-116, for Preliminary & Final Land Development Plan Approval: Consideration to take Appropriate Action.

Mr. Hecker spoke about the terms and conditions of a Resolution for the preliminary and final land Approval noting there should be no problems moving forward. A few waivers will be requested however.

Mr. John Pettit provided visuals and a description of the waiver requirements being requested below: Sections 509F, 516 D3, 518.1.4.A2, 518.L4-A3, 803.A1, 803 C3, 304A and 400 E.

Motion by Mr. Bowen and seconded by President Lewis to Approve the Application of Taco Bell Located at Veterans Highway & Rockview Drive, T.M.P. # 05-027-116, for Preliminary & Final Land Development Plan Approval with conditions and will comply with requirements set forth in agreement.

Motion carried unanimously by a vote of 4-0.

- C. Application of Wawa, Inc. Located at New Falls Road & Wistar Road, T.M.P. #05-035-005 for Conditional Use Approval: Consideration to take Appropriate Action.

Mr. Tom Hecker, an attorney representing Summit Reality Advisors Developers for Wawa, gave an overall plan presentation and introduced Eric Britts, a Professional Engineer with Bohler Engineering, who was sworn in at 8:03pm.

Mr. Britts provided highlights of the Wawa Proposal. He stated that the site will have two access points along Wistar Road and New Falls Road. The proposal includes extension improvements, storm water management, and landscaping and sidewalk improvements.

Mr. Matt Hammond, a Traffic Engineer, sworn in at 8:05pm, spoke about extensive traffic improvements that are part of the proposed application along New Falls Road. The proposed Improvements include a dedicated left lane, a through lane, sidewalks and 1300 feet of lane widening along New Falls Road.

Mr. Hecker asked Mr. Eric Britts about conditional use requirements. Eric Britts indicated that Wawa met all requirements.

Mr. Randal Flager closed the hearing at 8:17pm.

Motion by Mr. Bowen and seconded by Ms. Longhitano to Grant the Conditional Use of Wawa, Inc. Located at New Falls Road & Wistar Road, T.M.P. #05-035-005.

Motion carried unanimously by a vote of 4-0.

D. Application of Wawa, Inc. Located at New Falls Road & Wistar Road, T.M.P. #05-035-005 for Preliminary & Final Land Development Plan Approval: Consideration to take Appropriate Action.

Mr. Tom Hecker agreed to the conditions of the resolution that mirrored the Township Engineer's comments. Mr. Eric Britts provided visuals and a description for the Waiver Requirements being requested: 400E, 503B, 509F, 509K, 518 M2, 519A1F, 523L1B, and 803 C3.

Councilman Joe Glasson arrived at 8:24pm.

Vice President inquired about whether the signs will prohibit tractor-trailer traffic on Wistar Road.

Mr. John Suharchick of WAWA announced that they will work with the Township to provide sidewalks for New Falls Road.

Mr. Hecker responded that a major concern was the increased traffic at the Tech School.

Mr. Chuck Clayton, Bristol Township Zoning Board announced, "We couldn't ask for better people (WAWA) to come into Bristol Township."

Ms. Longhitano thanked WAWA for the sidewalks and the widening of the road.

Motion by Mr. Bowen and seconded by Ms. Longhitano to Approve the Application of Wawa, Inc. Located at New Falls Road & Wistar Road, T.M.P. #05-035-005 for Preliminary & Final Land Development Plan Approval.

Motion carried unanimously by a vote of 5-0.

ORDINANCES & RESOLUTIONS

- A. An Ordinance Authorizing the Issuance of Debt for \$25,000,000 Maximum Aggregate Principal Amount Within Stated Parameters for the Purpose of Refunding Previous Issued Debt: Consideration to Adopt.

Township Manager McCauley announced that the ordinance will authorize a refunding of existing debt that may never happen. However, if bond rates came down again, the Township would be able to act and save hundreds of thousands of dollars.

Mr. McCauley introduced Mr. Jim Gray the VP of RBC Capital Markets, the Bond Underwriter. Mr. Gray thanked Council for hiring them to work with the Township. Nevena Simidjiyska, Esquire, of Fox Rothschild, is Bond Council for Bristol Township, indicated that the purpose of the ordinance is to refund part or all of the bonds in 2008 and 2010 Bonds.

Brian Bradley of RBC Capital Markets explained at what point a decrease in bond rates would trigger the refunding and Issuance of Bonds and the necessity of the flexibility of the parameters in order to act quickly and take advantage of this opportunity. Mr. Bradley responded about the fees and that they would come from the bond issue, which is \$6.00 per bond.

Mr. John Riotta of Maple Ave. questioned what effect the bankruptcy of Detroit had on the Bond Issues. Mr. Bradley responded that the issue has been isolated to that city.

Motion by Mr. Glasson and seconded by Ms. Longhitano Authorizing the Issuance of Debt for \$25,000,000 Maximum Aggregate Principal Amount within Stated Parameters for the Purpose of Refunding Previous Issued Debt.

Motion carried unanimously by a vote of 5-0.

Mr. McCauley stated that with this ordinance, if rates decline to where there are 3% savings, the potential savings for Bristol Township would be approximately \$750,000.

- B. A Resolution Authorizing the Sale of Surplus Equipment and Vehicles: Consideration to Adopt.

The Township Manager discussed the use of Municibid.com to dispose of the Township's surplus equipment and the retired vehicles which were mainly police cruisers.

Motion by Ms. Longhitano and seconded by President Lewis Authorizing the Sale of Surplus Equipment and Vehicles.

Motion carried unanimously by a vote of 5-0.

REPORT FROM TOWNSHIP MANAGER

Township Manager McCauley stated he has no formal report.

REPORT FROM TOWNSHIP SOLICITOR

Mr. Randall Flager thanked Council for their steadfast support of the Township Manager and Congressman Fitzpatrick for their work with the Venice Ashby Police Agreement.

Mr. Flager discussed how President Lewis was accused of racial harassment at prior council meetings. A formal complaint was actually filed with the PA Human Relations Commission. However there was no evidence whatsoever to support the claim. Mr. Flager read a letter received July 31, 2013 from the Pa Human Relations Commission stating that the PA Human Relations Commission has investigated the complaint of unlawful discrimination and the case was dismissed due to lack of probable cause. Mr. Flager stated that the accusers should apologize to President Lewis.

President Lewis thanked the many individuals who supported him throughout this ordeal.

Vice President Brennan mentioned that the lawsuit and insurance claim was for political gain and discussed the monetary costs to the Township.

Mr. Flager announced that he has been researching delinquent collection firms to collect outstanding sewer bills due to the Township. Mr. Flager also stated that all delinquent properties have been liened. The Township Solicitor encouraged delinquent residents to make payment arrangements with the Township to avoid formal collection action.

Mr. McCauley stated that since the original announcement last month, \$35,000 in delinquent payments have been collected.

- A. Request from DHD Ventures dated July 26, 2013 for a Reduction in Letter of Credit for Bottom Dollar Food Northeast, LLC: Consideration to take Appropriate Action.

Mr. Larry Young of Gilmore & Assoc. spoke on the 2nd release request for Bottom Dollar in the amount of \$162,321.00 which leaves \$ 327,573.88 in the letter of credit.

Motion by Mr. Bowen and seconded by Mr. Glasson to Approve the Request from DHD Ventures dated July 26, 2013 for a Reduction in Letter of Credit for Bottom Dollar Food Northeast, LLC.

Motion carried unanimously by a vote of 5-0.

- B. Application to the Delaware Valley Regional Finance Authority: Consideration to take Appropriate Action.

Township Manager McCauley discussed the four million dollars borrowed earlier this year for the 2013 Paving Program from the Delaware Valley Finance Authority. He stated that 44 miles of the 88 miles still need to be repaved. Manger McCauley recommends taking advantage of the historically low interest rate to borrow another four million dollars at the 15 year fixed rate of 2.537% for the 2014 Paving program. This will permit another 24 miles to be repaved.

Mr. McCauley announced that the balance from the sale of the Water System would be transferred to the debt fund for the principal and interest payments on the proposed loan.

Vice President Brennan stated he is happy to see that bringing private sector business people and their business concepts into government is making a difference in our Township. He commends Mr. McCauley for this transformation.

Mrs. Longhitano stated that this is a prime example of government working for the people.

Motion by Vice President Brennan and seconded by Mr. Bowen to approve the Application to the Delaware Valley Regional Finance Authority.

Motion carried unanimously by a vote of 5-0.

- C. Change Order for 2013 Milling and Paving Contract A: Consideration to take Appropriate Action.

Mr. Larry Young announced that this is the second change order for the Levittown roads to include four additional miles (20 roads) to be repaved in the amount of \$717,186.83 bringing Contract A to

\$2,935,128.47.

Motion by Mr. Glasson and seconded by Vice President Brennan to Approve change order for 2013 Milling and Paving Contract A with authorization for the additional monies to be transferred from Capitol Funds to pay the contractor fees.

Motion carried unanimously by a vote of 5-0.

- D. Change Order for 2013 Milling and Paving Contract B: Consideration to take Appropriate Action.

Mr. Larry Young announced a change order for the Croydon Roads to include eight additional roads in the amount of \$208,436.36 bringing Contract B to \$1,705,156.55. Mr. Young noted that Aqua will be reimbursing the Township half the cost in the amount of \$194,000.

Motion by President Lewis and seconded by Mr. Glasson to Approve Change Order for 2013 Milling and Paving Contract B with authorization for the additional monies to be transferred from Capitol Funds to pay the contractor fees.

Motion carried unanimously by a vote of 5-0.

President Lewis questioned whether the engineer would have someone inspect Louise Ave which is currently being excavated by the gas company.

- E. Letter to Manager from Rev. Daniel P. Sparling regarding: Request for Waiver of Permit Fees for Hope Christian School: Consideration to take Appropriate Action.

Township Manager McCauley recommended waiving 50% of the permit fee for the Hope Christian School in the amount of \$400.00.

Motion by Ms. Longhitano and seconded by Mr. Glasson Approving a Request for 50% Waiver of Permit Fees for Hope Christian School.

Motion carried unanimously by a vote of 5-0.

- F. Letter to Manager from Bob Hodges, Church Trustee, received August 7, 2013 re: Request for Waiver of Permit Fees for Wilkinson Memorial United Methodist Church: Consideration to take Appropriate Action.

Township Manager McCauley recommended waiving 50% of the permit fee for the Wilkinson United Methodist Church in the amount of \$240.00.

Motion by Ms. Longhitano and seconded by Mr. Bowen Approving a Request for 50% Waiver of Permit Fees for Wilkinson Memorial United Methodist Church.

Motion carried unanimously by a vote of 5-0.

OTHER BUSINESS

President Lewis discussed a complaint of speeding on Louise Ave and requested that police investigate the matter.

Vice President Brennan stated residents need to park on the correct side of the street to avoid being ticketed.

Vice President Brennan stated that Council should consider appointing Mr. Russ Sacco as Council to the Civil Service Commission.

President Lewis requested that Council consider this at the next meeting.

Councilwoman Longhitano announced that Delhaas High School is having their 35th class reunion for the class of 1978 on August 29, 2013 at Georgine's. For more information contact Beth Morris Richardson at 4968 Aster Court, Long Grove, Illinois 60047 or contact Amber Longhitano.

OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL

Mr. Steven Sliwinski, of 2517 Green Avenue, brought pictures of a recent flooding on his street. Mr. Sliwinski stated his house has flooded three times in 15 years. Vice President Brennan asked Township Engineer, Mr. Larry Young to look into this issue.

Mr. John Riotto of Maple Ave. noted that people were coming up to him while he was standing outside the School Board Administration Building with his sign. Residents discussed the Township being understaffed with respect to inspecting properties and L&I complaints.

Mr. McCauley responded that the majority of backlog in code enforcement issues was at the District Justice level. The Township will inspect a property, issue a Notice of Violation and then a Summons. At that point it generally takes several months for a hearing to be scheduled at the District Justice Court.

Ms. Patti Nichols of Prospect Ave. announced a Memorial Motorcycle Run for Sidewalks for New Falls on Saturday, August 24 from 11:30am to 4:00pm. The run starts at Brian's Harley Davidson and ends at Newportville Firehouse with a Picnic Lunch.

BRISTOL TOWNSHIP COUNCIL MEETING
AUGUST 15, 2013

Ms. Cyndi Murphy of Dogwood Drive wanted to thank Council for the paving of Haines Road even though it was not scheduled. Ms. Murphy, inquired on behalf of Ms. Barbara Bill, as to whether people who file frivolous claims and lawsuits should be responsible for paying the legal fees.

Truman High School Cheerleaders are having a Cheer Clinic for kids of all ages from grades K-12 on Saturday, Sept. 14, 2013 from 8am-11:30am for \$25.00. For more info contact Kristen Wright at KWrightcheer@yahoo.com.

Ms. Murphy also announced that a Flea Market will be held as well on September 14, 2013 from 8am-12noon, Vendor spots are \$15.00. For more information contact Kristen Wright at Kwrightcheer@yahoo.com.

Ms. Murphy announced that the band and cheerleaders are having a fundraiser at the Trenton Thunder on August 29th for \$11.00, the band and cheerleaders will be performing before the show that day. For tickets reach out to Cindy Rowe @ (267) 391-8252

Mr. Rexler inquired whether a Township vehicle was involved in an accident around 11pm last evening during a high speed chase.

Ms. Tammy Hardy of the Croydon Acres Civic Association announced the 2nd Music in The Park concert is scheduled for Saturday, August 24, 2013 at 7pm at Croydon Acres Park.

Mr. Glasson announced the Levittown Fire Company # 2 is having a Car Show on Sunday, August 18th at Five Points He requested that people attend and show their support.

Ms. Longhitano announced the Bristol Township Community day will be this Saturday the 17th from 4-9pm at the Bath Road complex with fireworks to follow at 9pm.

Motion by Ms. Longhitano and seconded by President Lewis to adjourn.

Motion carried unanimously by a vote of 5-0.

The meeting was adjourned at 10:00pm.

TOWNSHIP COUNCIL MEETING OF AUGUST 15, 2013

1. Changed the current agenda in honor of Congressman Fitzpatrick's presence to bring the agreement up for Venice Ashby Police Protection reached by Council and all parties involved.
2. Approved the Venice Ashby Policing Agreement to be effective as of August 20, 2013.
3. Approved the outstanding Voucher List and Requisitions for August 15, 2013.
4. Approved the Minutes from the Council Meeting on July 18, 2013.
5. Granted the Conditional Use of Taco Bell Located at Veterans Highway & Rockview Drive, T.M.P. # 05-027-116.
6. Approved the Application of Taco Bell Located at Veterans Highway & Rockview Drive, T.M.P. # 05-027-116, for Preliminary & Final Land Development Plan Approval with conditions and will comply requirements set forth in agreement.
7. Granted the Conditional Use of Wawa, Inc. Located at New Falls Road & Wistar Road, T.M.P. #05-035-005.
8. Approved the Application of Wawa, Inc. Located at New Falls Road & Wistar Road, T.M.P. #05-035-005 for Preliminary & Final Land Development Plan Approval.
9. Authorized the Issuance of Debt for \$25,000,000 Maximum Aggregate Principal Amount within Stated Parameters for the Purpose of Refunding Previous Issued Debt.
10. Authorized the Sale of Surplus Equipment and Vehicles.
11. Approved the Request from DHD Ventures dated July 26, 2013 for a Reduction in Letter of Credit for Bottom Dollar Food Northeast, LLC.
12. Approved the Application to the Delaware Valley Regional Finance Authority.
13. Approved the Change Order for 2013 Milling and Paving Contract A with authorization for the additional monies to be transferred from Capitol Funds to pay the contractor fees.
14. Approved the Change Order for 2013 Milling and Paving Contract B with authorization for the additional monies to be transferred from Capitol Funds to pay the contractor fees.
15. Approved a Request for 50% Waiver of Permit Fees for Hope Christian School.
16. Approved a Request for 50% Waiver of Permit Fees for Wilkinson Memorial United Methodist Church.
17. Meeting adjourned at 10:00pm.

Respectfully submitted,
Tammy L. Hardy, Township Secretary