President Pluta called the meeting to order at 7:08 P.M.

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

EXECUTIVE REPORT:

Mayor Monahan stated that Fire Prevention Week is October 3rd through the 9th. Fire Companies in Bristol Township will be having open house and all the Public is invited to attend. The Annual Harvest Fest and best of Bucks holiday auction will be held Saturday October 23, 2010 from 9:00 A.M. to 3:00 P.M. at the Bristol Township Senior Center. Activities will include pumpkin painting, harvest bingo, face painting music, Child ID program, pie eating and costume contest for ages 12 and under.

Motion by Councilwoman Tarlini to approve the outstanding voucher list and requisitions for August 2010. Second by Vice President Davis.

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

Motion approved 5-0

Motion by Councilman Tucker to approve minutes from the July 15, 2010 Council Meeting. Seconded by Councilman Lewis.
BRISTOL TOWNSHIP COUNCIL MEETING
September 16, 2010 Continued

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

Motion approved 5-0

REPORT FROM MANAGING DIRECTOR:

Bid Opening for the Inlet Replacement Magnolia Hill Section:
  1. Ridgeline Construction Co. in the amount of $77,860.00.
  2. Dinado & Sons Inc. in the amount of $174,800.00.
  3. K. E. Seifert, Inc. in the amount of $79,930.
Mr. Bartlett requested that Council award the bid to the lowest responsible bidder after the Engineer’s review.

Motion by Councilwoman Tarlini to award the bid for Inlet Replacement in Magnolia Hill to the lowest responsible bidder after the Engineers review. Second by President Pluta.

Roll Call Vote: Councilman Tucker Yes
Councilman Lewis No Councilman Lewis stated he thought it should wait until the next meeting.
Councilwoman Tarlini Yes
Vice President Davis Yes
President Pluta Yes

Motion approved 4-1

Bid Opening for Lease for Automated Truck Mounted Spray Injected Pothole Patcher and Driver. Mr. Bartlett stated that there was only one bid received. There were other companies that picked up the bid specifications but only one bid was received back. Councilman Lewis stated that he thought it would be responsible to rebid this again. Mr. Bartlett stated that since it was put out to bid that the bid would have to be opened, Council could reject the bid and rebid the project.

Motion by Councilman Lewis to rebid the patching project. Second by Councilman Tucker.
BRISTOL TOWNSHIP COUNCIL MEETING
September 16, 2010 Continued

Ann Titus stated that at the last meeting it was said that this is a pilot program and there will be an agreement with this company they put the bid in and she does not understand why the Township would go out to bid again. Mr. Lawson stated that this is a 3 month Pilot Program. Mr. Smith stated it would extend to December. Mr. Mobley asked the name of the Company that submitted the bid. President Pluta stated they do not know the name because they did not open the bid. Mr. Mobley stated he thinks it should go back out to bid.

Roll Call Vote: Councilman Tucker Yes
Councilman Lewis Yes
Councilwoman Tarlini No
Vice President Davis No
President Pluta No

Motion not approved 2-3

Mr. Bartlett opened the bid from Patch Management, Inc. the total bid amount was $52,800.00 for a three month period 90 day rental. They offered the $17,600.00 a month for an additional nine months. The Winter Emulsion that is used cost $5.50 per gallon. The Summer Emulsion that is used cost $4.50 per gallon. The aggregate that is used as part of the application process is $35.00 per ton. Vice President Davis questioned if the work would be done 5 days a week for 8 hours a day. Mr. Lawson stated that it is a 3 month trial pilot program. Their material is better than the local material and holds up better. They will operate the Truck. The Public Works Employees will go through the Township with them, see how far they get and see how the machine works. Next spring we will see how the material holds up. The intention is to put a bid out and rent the truck and allow Township Employees run the truck. Councilwoman Tarlini asked Mr. Lawson how many pothole complaints the Township gets. Mr. Lawson stated around 100 per month. Councilwoman Tarlini stated this is one of the residents biggest complaints and we are trying to fix that. President Pluta questioned if the pilot program has a warranty. Mr. Smith stated it was not listed in the bid. Mr. Lawson stated they did state that they stand behind their product.

Motion by Vice President Davis to Award the bid To Patch Management, Inc. and move ahead with the program in the amount of $52,800.00 for a three month period. Second by President Pluta.

Mr. Turner questioned how many potholes will be done, and who owns the company. Mr. Lawson stated the company is Patch Management, Inc., and he does not know how many potholes will be done that is why they are doing a 3 month pilot program to see how many.
Mr. Retzler questioned it the company is Pothole Killers and if it was owned by Councilwoman Tarlini’s brother in law. Mr. Bartlett stated that the company’s name is Patch Management also listed as Pothole Killers the President of the company is Mr. Craig Baclit. Mr. Retzler questioned if Mrs. Tarlini’s In-Law’s have anything to do with the company. Councilwoman Tarlini stated yes and you will find that out when she makes her vote. Mr. Mobley stated he thinks it should go back out to bid for 3 bids since a family member is an owner of the company. President Pluta stated that is not true there is a product that has been proven and it seems to be holding up that it is worth looking into. He brought this up to John Prillo years ago that he was very impressed with the whole system. Four bid applications were requested and only one was returned.

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|                 | Councilwoman Tarlini stated that her brother in law is Part owner of the company and she wanted everyone to be aware of that as full disclosure. She would have preferred to abstain, however this project will do wonders for the roads and she had hoped that all of Council would have agreed that this would help all the residents. Because of this she does not feel she should abstain. She requested that the Solicitor Comment on whether she can or cannot vote. Mr. Sacco stated that Councilwoman Tarlini contacted him directly to seek his legal opinion on whether or not she could vote on awarding this contract because one of the principals of the company is her brother-in-law. In response to the inquiry he reviewed the Pennsylvania Public Official and Employee Ethics. Section 1103 of the Act states that “no public official shall engage in conduct that constitutes a conflict of interest.” Section 1103 of the Act states that a conflict of interest is “use by a public official or public employee of the authority of his office or employment or any confidential information received through his holding public office or employment for the private pecuniary benefit of himself, a member of his immediate family or a business with which he or a member of his immediate family is associated.” The Act is very clear on what a conflict of interest is and who represents a member on an “immediate family.” Section 1102 of the Act defines “immediate family” as “a parent, spouse, child, brother or sister.” In light of the clear language of the Act, voting on awarding this contract would not be a conflict of interest as defined in the Public Official and Employee Ethics Act. Councilwoman Tarlini stated that this project is too important for the Township residents, so she will vote yes. Vice President Davis stated that she has been on Council for 5 years and in the 5 years the Township has not been able to control the potholes. We have done everything we could have done and still hasn’t worked. This Company has been around doing this all around us even on the New Jersey Turnpike. Shame on the people who do not have the guts to vote yes on something so good for the Township. Vice President Davis voted yes. President Pluta
stated that he wanted to remind everybody that this is a 3 month pilot program, this is not a contract with Bristol Township that is going to last multiple years. At the end of 3 months the Township will review the progress of this program. It is well worth the effort to at least try to fix the potholes that are being filled in and are not holding up.

President Pluta voted yes.

Motion approved 3-2

Mr. Bartlett stated that the Lower Bucks County Joint Municipal Authority requested a waiver of their sign fees and building permit fees. The Township does not have the authority to waive the fees of the third party vendor but can waive the Township's portion. Conwell Eagan is also requested a waiver of permit fees.

SUBDIVISION/LAND DEVELOPMENT:

Mr. Kucher stated that the Bio-Pharm Project was approved early this year and their 90 days has run out.

Motion by Councilwoman Tarlini to reaffirm the Bio-Pharm Project located at 2091 Hartel Street. Second by Councilman Lewis.

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

Motion approved 5-0

COUNCIL ITEMS:
Call for a motion to approve Equipment Rates for Township services provided by Public Works Employees.

Mr. Lawson stated that the equipment rates are for Public Works to take care of vacant or fire damaged properties should be approved by Council. Councilman Lewis questioned the emergency call in. Mr. Lawson stated that there is a 4 hour minimum for call in for employees per the Union Contract. During the work day hours it is a 2 hour minimum. To cut the grass on a vacant property Public Works charges $399.09 and a lien is placed on the property.
BRISTOL TOWNSHIP COUNCIL MEETING
September 16, 2010 Continued

Motion by Vice President Davis to approve Equipment Rates for Township services provided by Public Works Employees. Second by Councilman Lewis.

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

Motion approved 5-0

Mr. Bartlett stated that there are ongoing projects with the Turnpike Commission. They are restoring an area that had originally been a wet land and was filled in by a private property owner. The other project is the upgrade to the stream area that is owned by the Township to re-grade the stream and plant trees. They are requesting permission from the Township.

Motion by Councilwoman Tarlini to approve Declaration of Restrictive Covenants for Conservation. Second by Vice President Davis.

Vice President Davis questioned the time line on the project. Mr. Bartlett stated 2 years. Councilman Lewis suggested waiting another month.

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

Motion approved 5-0

Motion by Vice President Davis to authorize the Agreement between Bristol Township and Pennsylvania Turnpike Commission for the Plumbridge Greenway Stream Mitigation Project. Second by Councilman Tucker.

Mr. Mobley stated that there could be revenue involving wet lands. Council should make sure they protect the wet lands. Mr. Sokolove stated existing wet lands are not a source of income if they already exist they do not generate income. Mr. Lawson questioned if you must own the property to receive credits. Mr. Sokolove stated yes. Mr. Lawson stated that the Turnpike owns the wet lands so the Township would not receive the credits. Councilman
BRISTOL TOWNSHIP COUNCIL MEETING
September 16, 2010 Continued

Lewis questioned what was being done on Township Property. Mr. Bartlett stated the Turnpike Commission is restoring their property and they will be restoring the stream area to improve the stream flow.

Roll Call Vote: Councilman Tucker Yes
                Councilman Lewis Yes
                Councilwoman Tarlini Not present for vote
                Vice President Davis Yes
                President Pluta Yes

Motion approved 4-0

President Pluta stated he would like the Transition Committee to include all of Council the Mayor and all the residents that requested to be on the Committee. Councilman Lewis questioned the sunshine law if all of Council were to be on the Committee. Mr. Sacco stated that it is like creating an advisory committee and would not be in violation. President Pluta stated that this would be no different than any other committee.

Motion by Vice President Davis to appoint all Council along with the Mayor, Ryan Hires, Pam Duffy, Sondra Hudson, Wayne Turner, Bo Pustiak, Helen Cini, Brooks Schlieben, Ann Titus, Cindy Peto to the Transition Committee. Second by President Pluta.

Mr. Mobley stated he thought it was wrong and it is under minding the people. President Pluta stated that he is for the Transition Committee he welcomes the residents, they are the ones who voted on this. President Pluta stated he would like to amend his second on the motion to include Mr. Turner to the Committee. Vice President Davis amended her motion to include Mr. Turner. Mr. Pustiak stated that what he understands what he voted on was the Government Study Committee Recommendations and Council changed that. President Pluta stated that they recommended the Transition Committee and that is what id being done. Mr. Pustiak stated that it was suppose to be 2 Council 3 from the Government Study Committee and 2 citizens. President Pluta stated he did not feel that would be good representation. Councilwoman Tarlini stated that these were recommendations by the Government Study Commission not a law and the Solicitor has made this clear at many meetings. Mrs. Titus stated that there were recommendations from the Government Study Committee on the final report for the Transition Committee to set the goals with the next form of government and Council took it and made it a mockery. She would like Council to abide by the final report from the Government Study Committee. President Pluta stated he is not making a mockery he feels it should be open to the public.
Roll Call Vote:

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Motion approved 5-0

Discussion of Sewer Project Financing Options. President Pluta stated that when the Sewer Project was started they applied to Pennvest, that application has been rejected. With the Pump Station requirements Pennvest was questioned if the Pump Station could be incorporated in the Pennvest Loan. Since the Pump Station was not in the original application the Township would have to reapply, and forfeit $2,000,000.00 H2O Grant.

President Pluta recommended Council stay with the original Pennvest loan. He is looking for the Engineering Company to absorb the advertising cost of re-bidding. Council agreed to stay with the Pennvest loan.

Call for a motion authorizing approval of Casino Grant Resolutions to complete application process to Redevelopment Authority.

Motion by Councilman Lewis to authorizing approval of Casino Grant Resolutions to complete application to process to Redevelopment Authority. There was no Second.

Vice President Davis stated that the request for the Grants have to tie in to the Casino, the Township is requesting 50% of the money allotted and there is no way the Township will receive 50% of the Grant. More accurate information is needed. Mr. Bartlett stated that the application must be submitted by September 30th. Council must authorize applying for the Grants to the Redevelopment and if Council does not authorize it tonight they will have to have another meeting before September 30th. Vice President Davis stated that we saw what happened last year when certain people requested larger amounts, they wouldn’t give it to them. We received more last year because the request that were made were more reasonable. Mr. Lawson stated that most the road projects are done through liquid fuel money and he feels that if the Township should start putting money into road repair.

Motion by President Pluta to table the approval of Casino Grant Resolutions and have a special meeting next Thursday at 6:00 P.M. Second by Councilwoman Tarlini
BRISTOL TOWNSHIP COUNCIL MEETING
September 16, 2010 Continued

Roll Call Vote: Councilman Tucker Yes
Councilman Lewis Yes
Councilwoman Tarlini Yes
Vice President Davis Not present for vote
President Pluta Yes

Motion approved 4-0

Discussion regarding bid documents for trash/recycling collection services. Mr. Sacco stated that the contract with Waste Management expires and the Township will have to put out to bid a 3 year contract and the reason it was put on the Agenda is to see if Council would like to change the specs. Mrs. Friel stated that because of Act 140 the requirements to pick up yard waste at least once a month in January, February and March. One of the reasons that this has not gone out to bid yet is we have a marketing agreement with the County until 2014 with Wheelabrator. Waste Management has taken over Wheelabrator. Mrs. Friel stated that if Council would like to change the bid specs to collection 5 times a week they can do so. If single streamline is chosen that would a single container that everything can go in one container. Mr. Bartlett stated that the Township has trash and recycling trucks traveling on the roads 6 days a week includes Saturdays. The 5 day pickup could be Monday and Tuesday, Thursday and Friday and make Wednesday recycling day for the whole Township and Saturday could be a make up day. Chuck Raudenbush of Waste Management asked if anyone had any questions for him. He stated that Vice President Davis stopped in to an employee’s house and questioned about incentive based recycling. That is something that Waste Management or any other company can offer that service. It is a community based program instead of an individual homeowner based program and everyone is rewarded community wide. Mr. Turner stated that the trash pick-up is the only thing he likes in the Township and it should be kept it the way it is, he doesn’t care how much it cost. Mr. Bartlett stated that Council heard some good information and they should compile it and then make a decision.

Call for a motion to authorizing township mechanical contractor to complete sanitary sewer line project for Field House.
Mr. Bartlett stated that the Field House Project has been going on for some time. The initial project was designed where volunteers would do all the work. The sanitary sewer line must be installed and they obviously do not have volunteers that are up to speed or equipment for the work. The Township has a contractor on call for Township who can complete the work that has been going on for 6 years. Vice President Davis question where the Township was
BRISTOL TOWNSHIP COUNCIL MEETING  
September 16, 2010 Continued

going to get the money for the job. Mr. Bartlett sated there was money set aside for the project approximately $44,000.00.

Motion by Councilman Tucker to authorize Township Mechanical Contractor to complete sanitary sewer line project for the Field House. Second by Councilwoman Tarlini.

Mr. Kevin Glasson stated he has been involved with this project since day one and donated material. For the pump project that is going on they were the ones who originally said that it would not be able to flow gravity. The Engineer and others said that the line would flow gravity and he advised people that it was not going to happen. Mr. Bartlett stated that they were told the project was set as a gravity flow project and he does not have confidence in Engineering advice that he is getting. Mr. Glasson questioned why he was not contacted. Mrs. Friel stated that Mr. Glasson has not responded to her nor the Managers phone calls, however, when Mr. Glasson came out with the machine he charged one third of the bill and did not come out for four months later. Mr. Glasson questioned where the Engineer who has the documents for the project. President Pluta stated he was told by the Engineer that Mr. Glasson had the information for months. Mr. Glasson stated he did not have the information.

Councilman Tucker stated he would like to rescind his motion and Councilwoman Tarlini rescinded her second.

Motion by Councilwoman Tarlini to table authorizing township mechanical contractor to complete the sanitary sewer line project for the Field House. Second by Councilman Tucker.

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Motion approved 5-0

Motion by Councilwoman Tarlini to authorize budget line transfer from general contingencies to engineering, to continue engineering and permit process for Route 13 Streetscape project in Croydon in the amount of $64,000.00. Second by Councilman Tucker.

Councilman Lewis questioned who would receive the money. President Pluta stated he would say the Engineering Firm. Mr. Bartlett stated that the Engineering Cost were not
included in the Grant. Pennoni is the engineer. Mr. Turner questioned if this was a beautification project. Mr. Bartlett stated that it would include sidewalks, trees, drainage and will continually work with the Croydon Train Station Project and Route 13 corridor. Mr. Mobley questioned how much has been spent on the Engineering costs. President Pluta stated he did not have the exact amount but Council did approve the amount.

Roll Call Vote:

- Councilman Tucker: Yes
- Councilman Lewis: Yes
- Councilwoman Tarlini: Yes
- Vice President Davis: Yes
- President Pluta: Yes

Motion approved 5-0

Call for a motion authorizing budget line transfer from Police Detective Salaries to Detective Overtime in the amount of $20,000.00. Chief McAndrew withdrew the request.

REPORT FROM PUBLIC WORKS DIRECTOR:

The 2010 Road Project is complete. Mr. Smith has the punch list. President Pluta questioned if they are still working on the in house projects. Mr. Lawson stated the in house paving is complete.

REPORT FROM CHIEF OF POLICE:

Chief McAndrew stated that the DEA is running a Take Back Program. They will take drugs instead of them being placed in the trash. The collection point is 8:30 A.M to 11:00 A.M. at Delhaas and from 12:30 P.M. to 4:00 P.M. at Five Points and 8:30 A.M. to 4:30 P.M. at the Township Building. Mr. Mobley questioned this program included needles. Chief McAndrew stated it did not. Mr. Raudenbush stated that Waste Management has a sharps mail in program that is provided at cost and he will give the information to the Manager.

REPORT FROM DIRECTOR OF BUILDING, PLANNING & ZONING:

Mr. Kucher stated the former Miller Trailer Park Zoning Hearing Board Meeting that was scheduled for September 23, 2010 will be heard September 11, 2010. The Township will be putting out a Request for Proposals to contract with a firm in order to perform the work associated the Municipal GIS Infrastructure Mapping program not to exceed the funds awarded from the 2009-2010 Casino Grant funds. The work is included but not limited to
setting up a Township wide software system as well as mapping the Township Sewer infrastructures as associated with DEP Consent Order.

REPORT FROM SOLICITOR:

Sports Pizza by Jerry 1471 Haines Road request to change the Liquor License from Bensalem.

Motion by Councilman Lewis to change the liquor license for Sports Pizza by Jerry located at 1471 Haines Road from Bensalem. Second by Vice President Davis.

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

Motion approved 5-0

OTHER:

President Pluta stated he would like to thank the residents that sent in a letter showing interest on serving on the Transition Committee and hopes that they will work well together.

OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL:

Mr. Jim Lewis did not speak
Mr. Mobley did not speak
Mr. Joe Toughill did not speak
Mr. Wayne Turner questioned if the Sewer Director could come to the meetings. President Pluta stated yes. Mr. Turner questioned items on the bill paying report, he asked why there was $36.00 for car repairs when we have Township Employees that work on the cars. President Pluta stated that it was for an alignment and employees do not do that.
Mr. Wes Retzler questioned if there is moratorium why the Field House could connect to the system. President Pluta stated that it goes to Lower Bucks. Mr. Tryon questioned why the meeting was not televised. President Pluta stated that the person who runs the equipment was on vacation. Mr. Tryon stated there should be a back up person. President Pluta stated that is something that they are looking into.
Mr. Morris displayed a picture of a burned out house on 832 Excelsior Avenue and he feels it should be demolished. Chief McAndrew stated it is not up to the District Attorney. Mr. Morris stated that it is a liability.

Motion by Councilman Lewis to adjourn the meeting at 11:00 P.M. Second by Vice President Davis.

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

Motion approved 5-0
BRISTOL TOWNSHIP COUNCIL MEETING
September 16, 2010 Continued

1. Motion to approve the outstanding voucher list and requisitions for August 2010.
2. Motion to approve minutes from the July 15, 2010 Council Meeting.
3. Motion to award the bid for the Inlet Replacement for Magnolia Hill to the lowest responsible bidder.
4. Motion to award the bid to Patch Management, Inc. in the amount of $52,800.00.
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9. Motion to appoint all Council along with the Mayor, Ryan Hires, Pan Duffy, Sandra Hutchins, Wayne Turner, Bo Pustiak, Helen Cini, Brooks Schlieben, Ann Titus, Cindy Peto to the Transition Committee.
10. Motion to table the approval of Casino Grant Resolutions and have a special meeting next Thursday at 6:00 P.M.
11. Motion to table authorizing the Township Mechanical Contractor to complete the sanitary sewer line project for the Field House.
12. Motion to authorize budget line transfer from general contingencies to engineering, to continue engineering and permit process for Route 13 Streetscape project in Croydon in the amount of $64,000.00.
13. Motion to change the liquor license for Sports Pizza by Jerry of 1471 Haines Road from Bensalem.
14. Motion to adjourn the meeting at 11:00 P.M.

Respectfully submitted by
Betsey Kelly-Kryven
Secretary