

BRISTOL TOWNSHIP

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

COUNCIL MEETING

January 22, 2009

The meeting was called to order by President Tarlini at 7:09 P.M.

EXECUTIVE SESSION: personnel and litigation were discussed.

President Tarlini called for a Moment of Silence and Pledge of Allegiance.

ROLL CALL: Council Members, Tarlini, Pluta, Mobley, Monahan and Davis were present.

Public comments will be taken on Land Development and official action items. General comments will be taken during Opportunity for Residents to Address Council.

EXECUTIVE REPORT:

Mayor Fenton congratulated President Tarlini and said there will be a Skills Challenge at Truman January 24, 2009 from 9:00 AM to 3:00 PM. There is no cost, more information can be found at WWW.NBA.COM or 215-785-0500.

Winter Basketball is from January to April. Registration is on Saturday at FDR. The coaches are thanked for the success of the program.

Baton Twirlers can register with Joan Lamina and will participate in the parade.

Congratulations were sent to the coaches, players and all others who assisted the War Dogs.

A moment of silence was held for Richard Singleton who was a good guy and leader for the Winder Village Civic Association.

The 2008 Bucks Mont Champs were given awards for being the "Bucks Mont Champs" and a plaque was presented for the coaches.

- A. Call for a motion approve minutes from the following Council Meetings: November 6, 2008 and November 20, 2008. Councilwoman Davis called for the motion to *table* the minutes of November 20, 2008 to clarify one vote. Second by Vice President Pluta.

Roll Call Vote:	Councilman Mobley	yes
	Councilman Monahan	yes
	Councilwoman Davis	yes
	Vice President Pluta	yes
	President Tarlini	yes

Motion approved: 5-0

Councilwoman Davis called for the motion to approve the minutes of November 6, 2008. Second by Vice President Pluta.

Roll Call Vote:	Councilman Mobley	yes
	Councilman Monahan	yes
	Councilwoman Davis	yes
	Vice President Pluta	yes
	President Tarlini	yes

Motion approved: 5-0

- B. Councilman Monahan called for the motion to approve the outstanding voucher list and requisitions for December 2008. Second by Councilwoman Davis.

Roll Call Vote:	Councilman Mobley	yes
	Councilman Monahan	yes
	Councilwoman Davis	yes
	Vice President Pluta	yes
	President Tarlini	yes

Motion approved: 5-0

- C. Councilman Monahan called for the motion to approve the outstanding voucher list and requisitions for the Sewer Department for December 2008. Second by Vice President Pluta.

Roll Call Vote:	Councilman Mobley	yes
	Councilman Monahan	yes
	Councilwoman Davis	yes
	Vice President Pluta	yes
	President Tarlini	yes

Motion approved: 5-0

REPORT FROM MANAGING DIRECTOR:

Mr. Bartlett was sick and did not attend the meeting. Discussion for bids on Maintenance of Street Lights, Maintenance of Traffic Lights, Maintenance of Recreational Lights, and Response to Resident Complaints will be referred to at the next meeting.

SUBDIVISION/LAND DEVELOPMENT:

Reaffirmation of Green Lane Properties, amended final plans- Bristol Commerce Center. Tom Hecker, Attorney and Jeff Skinner Principal Engineer represented Green Lane Properties. Issues encountered required modifications and amendments to the final plan. This is an eighty acre site on Airport Road towards the Bristol Industrial Park. It consists of the 3M building. The original plan has additional space to bring it to a one million square foot building. This was approved with the lot in the corner which shifts the building towards the intersection to center of the new lot changed the parking area. The site is the same except for that. A meeting was held with Gary Smith to discuss the issue. This will improve the traffic flow through the area. Mr. Smith stated the biggest concern was for the new entrance to be bigger. The building shift is of concern but the new entrance being bigger was more of a concern. Trucks were backing into the building. The new plan is one way in for trucks only. This satisfies the concerns. Councilwoman Davis asked are you any closer in securing a tenant. Mr. Hecker responded there are two speaking to them but they won't know until the next couple of months. Councilwoman Davis asked how many jobs there will be at the location? Mr. Hecker responded they need one-hundred twenty parking spaces. Councilman Monahan called for the motion to approve the Reaffirmation of Green Lane Properties, amended final plans- Bristol Commerce Center. Second by Councilman Mobley. Poll: all ayes. Motion approved.

COUNCIL ITEMS:

- A. Call for a motion to approve waiving of the permit and inspection fees for installation of a new boiler as requested by Wilkinson Memorial United Methodist Church. Mr. Kucher stated the Township gets sixty percent of the fee and forty percent must be paid to an outside contractor. Even if the fees are waived the forty percent must be paid. Mr. Ausora stated this would set a dangerous precedence. Mrs. Mormando asked if the request could be reconsidered because of the hard times and the work the church does. Councilman Mobley stated we should waive the sixty percent, the churches help the homeless and some are service men, a policy needs to be set. President Tarlini asked what is the cost to the Township? Mr. Kucher replied this permit is based upon the cost of the job which could be \$75 to a couple hundred dollars. Councilwoman Davis called for the motion to *deny* the request from Wilkinson Memorial United Methodist Church to waive the permit and inspection fees for installation of a new boiler. Second by Vice President Pluta.

Roll Call Vote: Councilman Mobley yes
 Councilman Monahan yes
 Councilwoman Davis yes
 Vice President Pluta yes
 President Tarlini yes

Motion approved: 5-0

B. Call for a motion to approve allowing occupancy without the cost of fees to Neighborhood First Program Inc. in regards to the new location at 5905-A Emilie Road. Discussion ensued: Mr. Kucher stated this program helps community children. There is some funding from Weed & Seed. President Tarlini asked can Weed & Seed fund this? Mr. Kucher and Mr. Sacco said they didn't know. Mr. Sacco stated this is similar to item "A" but the Township does the inspection and doesn't pay an outside inspector. Mr. Kucher stated the Use and Occupancy Permit is \$100 for Zoning and \$300 for Fire Inspection based on square footage. Councilman Monahan called for the motion to table the request to allow occupancy without the cost of fees to Neighborhood First Program Inc. in regards to the new location at 5905-A Emilie Road. Discussion ensued: Mr. Kucher stated this program helps community children. Second by Vice President Pluta.

Roll Call Vote: Councilman Mobley yes
 Councilman Monahan yes
 Councilwoman Davis yes
 Vice President Pluta yes
 President Tarlini yes

Motion approved: 5-0

C. Vice President Pluta called for the motion to approve Housing Assistance Program through the Community Development Department. Second by Councilman Monahan.

Roll Call Vote: Councilman Mobley yes
 Councilman Monahan yes
 Councilwoman Davis yes
 Vice President Pluta yes
 President Tarlini yes

Motion approved: 5-0

D. Discussion regarding the adaptive reuse of the Weed Chevrolet Property: Redevelopment Authority of Bucks County. Mr. White gave Council a copy of a PowerPoint the Redevelopment Authority is looking into; creating jobs. Weed Chevrolet will be closing. It will be sold or sit vacant. The location is from Ford Road to the Turnpike Bridge. Pictures and ideas were shown on the PowerPoint. Zoning is for the town center. The front of the building is to be a showroom. The new user would use it to display antique cars. Part would be available for a restaurant or other business. Rob's Automotive is interested in buying this. He will consolidate it to one site and keep people working. The plan shown was from Rob's Automotive. They will build a new building, parking, and storage. The use would be for auto repair. Part of the property would be retained to be converted for the town center. The entrances (four) are from Bath and Ford Road. Council was asked to look at the sketch plan and see if this is something the Township could work with. It includes thirty plus new jobs in the next three years (two-hundred total, because there are existing employees). A sit down restaurant or office is also planned for the area. President Tarlini asked will the business on Route 413 be kept or is it moving? Mr. White responded he will open a new Pennsylvania inspection site and a restaurant or whoever is looking, Taco Bell has expressed interest. He will keep it except three acres.

President Tarlini stated I am looking for a restaurant there. Mr. White said he wants to issue it as a pad site. President Tarlini stated if a restaurant doesn't go in I would like a lot of landscaping (because of the hotel planned for across the street). Rob Lepleiter from Rob's Automotive stated three different businesses run from the Route 413 location. The auto collision would stay there. The truck business is up for sale. It would relocate. We will use the showroom as a car museum. Councilwoman Davis stated it is hard to see, is the imaginary line on the plan realistic, we can't tell the footage? Gary Smith responded the front section is proposed to keep with the town center. The line may have to be modified. It could be adjusted. This is the first I've seen the line (on the PowerPoint presentation). They are willing to have it conform to requirements. Mr. White said the pad site will be adapted to what it needs to be. Councilwoman Davis asked is there enough parking? Mr. Lepleiter responded yes. Mr. White stated they want to know if Council is interested; they are not asking for approval. Should he invest the money into the plans? This would keep the property running and keep employment to one-hundred eight employees. Councilman Monahan stated he employees at least one-hundred fifty jobs and I don't like to see vacancies. It is a good idea. Councilman Mobley stated we need the tax revenue and we don't want to see him leave. The earned income tax will be good tax revenue and he always keeps the place clean. This is a good project. Councilman Mobley called for the motion to preliminary allow Rob's Automotive to go forward and explore with the Township. Second by Councilman Monahan. President Tarlini stated tonight is discussion only. Councilwoman Davis stated I think it is premature and irresponsible without a plan. We appreciate the business. President Tarlini stated this is on the agenda for discussion. This is the Town Center. We have no problem with your business but we are looking for more, more than discussion and a guarantee. Vice President Pluta stated I would like to see more detail. Mr. Lepleiter stated I want to give the Township what they want. The property is costing a lot of money. We tried to get a feel from the Township. If we are heading in the right direction. Fifty foot across the front will be landscaping. I am looking hard for a restaurant. Currently Arby's and Sonic are interested but, they don't fit in the Town Center. I need to sell the three sites before the bank will approve the loan. I don't want to waste \$100,000. Charlie Marty stated the restaurants are in a holding pattern with the economy. You may have to look at a restaurant with take out. President Tarlini stated I don't want to have you think this is guaranteed or vote ahead of time. Vice President Pluta requested more on a sketch plan. Mr. Sacco stated they may want to subdivide the two parcels. If we keep it as one parcel and they use one for truck repair what would stop them from using it for trucks. Charles Marty stated we could work with you through the land development process. Bruce Weed stated eight months ago I realized we can't stay in the car business. We tried to find the use for a Town Center. No matter who I sell it to they will be here asking for the same, the pad sites. No one wants to spend \$100,000 on Land Development, it is making it impossible to sell. I met with Mr. Lepleiter I think he will do the right thing. There are restaurants interested, Sonic, Chic Fil A, they have drive throughs. This should be looked at. Charles Marty stated twenty employees will go from Bensalem to the new site, plus thirty new jobs. Now he pays \$130,000 in real estate taxes. The occupational privilege tax is almost \$9,000 per year. That is \$175,000 he pays in taxes. He

wants to stay here but, must consolidate. We have to sell part for this to proceed. We just want understanding and flexibility. We can't tell what will happen with the motel because of the economy. Fast foods are still proceeding (most of them). The showroom will still be a show room. Cars will still be fixed there. The back will be a truck center. President Tarlini stated you got what each Councilmember is looking for. All of us told you what we want to see. Councilwoman Davis stated we are not for or against. We need more information. We don't want to sell the Township short because of the economy. I don't want to give approval (what about planning?). Charles Marty said it will be two years until Rob's portion is completed. The corner portion we can't tell you yet. Bob Lewis, Gallus Obert and Bob Ausora spoke favorably of this project. President Tarlini stated I believe we gave them everything they were looking for in the discussion. This is discussion only. I don't think we should vote. I think they are happy. Vice President Pluta stated we have concerns. We are trying to give him incite of what we are looking at. Is a restaurant realistic, we weren't saying yes or no, just gain more information. Bruce Weed said the Town Center is a little too restrictive now. I hope this will stay together, it is positive. President Tarlini stated I believe he understands we are looking for a restaurant. We are not saying yes or no. If Rob's purchases this I want a restaurant. They have to go through land development. This is a discussion forum. I can't take a vote. Council was clear and said what they are interested in. Mr. White stated thanks for the time. We are not looking for a vote. They will go through the process. Councilman Monahan said not one economist would say things will get better this or next year. We are looking for them to go ahead. Councilman Mobley stated there should be a motion to move forward. Councilman Monahan stated I second the motion. Vice President Pluta stated I thought he was looking for consensus for him to go to land development. Mr. Lepleiter stated I got the answer. If you will hold tight for the restaurant we can't do it. If an Arby's or Chic Fil A would be acceptable I can. The bank won't give the loan otherwise. President Tarlini stated I said restaurant, not sit down restaurant. Vice President Pluta stated we need one, but, with the economy I don't know that we would specify. Mr. Lepleiter stated the Town Center says no fast food (anything with a drive though). To satisfy the bank I need this. The restaurants interested won't fall under the town center. In six months would you flex on this? Councilwoman Davis stated I am not opposed to Sonic but Habitat was an example, we got a ton of calls, they thought we gave the okay. I won't make you stick to sit down. We want it to be nice. Vice President Pluta stated we want a restaurant of some sort, a realistic view. Councilwoman Davis called for the motion to *table* the discussion regarding the adaptive reuse of the Weed Chevrolet Property. Second by Vice President Pluta.

Roll Call Vote:	Councilman Mobley	no
	Councilman Monahan	no
	Councilwoman Davis	yes
	Vice President Pluta	yes
	President Tarlini	yes

Motion approved: 3-2

Vice President Pluta called for a motion to call for a five minute recess (9:05 P.M.). Second by Councilman Monahan. Poll: all ayes. Motion approved. President Tarlini called for the motion to resume the meeting (9:10 P.M.) Second by Councilwoman Davis. Poll: all ayes. Motion approved.

REPORT FROM PUBLIC WORKS DIRECTOR:

Mr. Lawson reported we are well into the snow season and are saving money. Red Cedar roads were deleted from liquid fuels. The representative wanted to close the report. If we kept on going the expenses would be general fund. Now we are in the 2009 liquid fuels.

Four to five paving contractors' numbers will be in for the February meeting to compare whether to outsource or keep in house. Council will have the information by Friday.

Councilman Mobley asked Mr. Lawson to check with Aqua to pay to fix the road. Mr. Lawson responded we met with them. We will find out what they are willing to do.

Vice President Pluta asked if the manholes on Bowman are corrected? Mr. Lawson responded no. The sewer was out putting rings on manholes when we went over that. I will find out why a decision was made not to put a ring around it. The sewer department will have to repair the manholes.

REPORT FROM DIRECTOR OF BUILDING, PLANNING & ZONING:

Mr. Kucher gave an update. The Zoning Hearing Board: the controversial fireworks were to go to lot in the keystone Industrial Park was withdrawn from application but now they are revising. I will update if this comes up again.

The Open Space Plan; \$1,077,380 is available from the County for Open Space Grants. I am updating the Township's Open Space Plan. I would like to discuss this next meeting. There is a \$10,000 reimbursement grant, this needs prior approval.

Councilwoman Davis stated the builder for Hearthstone backed out. The organization is desperate and doesn't know where to go. We need to take a lead on this. If Mr. Rotelli doesn't want to meet with residents we should. Mr. Sacco stated we take security on public improvements. Their letter of credit is still good and has been extended. The road work could be completed. Residents are concerned. We should have a meeting with us, the developer and the representatives of the residents. We are limited on internal controls but can see that the site is secure. Councilwoman Davis stated they are having a public meeting at the library in February but, he won't return their calls. We need to step in.

REPORT FROM THE DIRECTOR OF WATER & SEWER:

Mr. Britton reported we are continuing to monitor flow data. I am working with DEP on hydraulic and organic industrial concerns.

I am monitoring pretreatment. The new permits will be issued for 2009.

The inflow and infiltration work is ongoing (by Musser). We are now heavily focused in the Croydon area.

We are looking into a pumping station. Sometimes pumping stations need to be replaced to be the most effective use of money. I am looking into applying for funding for the 2009 period. We are putting the application together.

No sump pumps are allowed into the sewer system. We don't need more storm water inflow infiltration.

There is no relief from the moratorium at this time, but, we are working on it.

Councilman Mobley asked who is doing pretreatment? Mr. Britton responded I do the coordinator responsibilities. The lab gets the samples. They are reimbursed fees. I am working on invoices for the users we are monitoring.

Councilman Mobley stated attach quotes for invoices over \$5,000. When it is close to \$10,000 it goes to bid. Mr. Britton stated I will summarize in the future.

REPORT FROM SOLICITOR:

Mr. Sacco reported regarding the Verizon government channel. The contract requires and gives us an additional channel for anything we like. This area is not built yet. The initial response in 2009 is the wire center will be built by 2010. I relayed that the Township wants it sooner and it is one of the most watched on television, so it is to their advantage. I asked them to talk to Comcast. I am hoping to hear back soon.

The County is still working on the skate park lease. We will have information for the next meeting.

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OTHER:

Councilman Monahan stated the Temple Shalom previously made a request. Then we were under the impression money was owed. I checked. They said it was paid. \$180 only is owed for sign fees. Councilman Monahan called for the motion to waive the \$180 sign fee for the Temple Shalom (because it was requested in 2008). Second by Councilman Mobley. Poll: Councilmembers Monahan, Mobley, Pluta and Tarlini voted yes. Councilwoman Davis voted no. Motion approved 4-1.

Councilman Mobley stated there is a Community Blood drive January 29, 2009 at the church located at 7300 New Falls Road.

I received phone calls regarding Comcast, with the digital change over. People have to pay for additional boxes. When they increase on the Cable Board we should look into this. That committee should be reactivated and have them check into this. Now you pay extra for the box.

The State law says Casino grant money is available to adjacent communities. If a law is written that way how can the County open it to all? We should get together and challenge that law. That was one solicitor's position. Councilman Mobley called for the motion to challenge the law regarding casino grant money because the County opened it to all. President Tarlini stated Councilwoman Davis and I had detailed email conversation we argued over the point. One commissioner claims to have written that law. I will send you a copy of those emails to review. Councilman Mobley responded okay. I will withdraw my motion. I would like to explore this. President Tarlini stated Representative Melio has been fighting it. I will forward you the information and you can come back to us.

Councilwoman Davis stated the Community Outreach for Croydon Town Meeting is February 9, 2009. The police are holding the meeting.

I received a letter from a ninety year old woman. Two men tried to break into her home. She was asleep and Officer Karen came down the street at the same time and saved the situation. The woman would like a commendation for the officer.

Vice President Pluta stated Mr. Britton and Mr. Lawson are to get together and get an answer on Belmont Avenue.

Anyone interested in boards and commissions please send a letter to the Manager's office.

The article by Don Mobley regarding sewer; I have a stack of information from the Sewer Director. Anytime you have an idea to save money sit with us and we will explore it. Councilman Mobley stated I withdrew; I was not included, purchases were not proper. I won't accept your challenge I will do the right things for the sewer.

Councilman Monahan said senior citizens need to be careful. Calls are being received (especially in tragic days) of people offering to take them to the bank.

PUBLIC COMMENT:

1. Jim Bracken-asked for the status of Miller's Trailer Park and suggested a park be made out of it. Habitat is interested again. This will turn into something the police department doesn't want. Mr. Kucher said after the presentation the scope of the plan changed. The zoning has expired (density approval). The Township is updating the open space plan. Seven hundred fifty square foot of open space is required for each lot. They would have to go to zoning as well as Council.
2. Frank Stadler-did not speak.
3. Bob Ausura-congratulated President Tarlini and Vice President Pluta. Also the email from Mr. Kucher regarding solar lights was appreciated.
4. Gallus Obert-asked about questions not allowed during the directors during report? President Tarlini responded the policy was changed. Mr. Obert asked why the 2007 audit was not received. Mr. Sacco responded it is being released.
5. Charles Schultz-did not speak.
6. Lisa DiGiorgio-spoke of an issue with vending. The local ordinance allows Laundromat owners to be charged the amusement tax, which is per coin slot. Older machines have two coin slots instead of one. Mr. Kucher stated anything that takes coins get the fee. Mr. Sacco stated it is a vending tax. Mrs. DiGiorgio stated the video games are \$200 and others are \$50. Mr. Kucher stated it is a detailed ordinance. Fees have not changed since I have been here. Vice President Pluta stated let Mr. Kucher get the information to us. Mr. Kucher responded I will forward the ordinance and survey of other townships.
7. Carol Esterline-said there is no liaison to the police department.
8. Joan Mormando-asked if more businesses are coming into the Township since Weed Chevrolet left? Mr. Kucher responded a major issue is the sewer moratorium and the economy. The DeGrand Diner is looking to make a hotel. A Wish Come True just came in. A lot of places are leaving Philadelphia and New York and going to Bristol Township.
9. Ken Smith-said the 3M proposal was for people with computers, now there is a paper distributor there and a lot of traffic. Restoration of manholes behind the Edgely Fire House should be done. Mr. Britton stated we are working on getting that completed. We can bring in hundreds of gallons of water per minute because of that problem. Ken Smith stated my bill is going up and up. Vents should be adjusted but don't put it on the residents. You need to work on this and not blame it all on the sump pumps. Mr. Britton stated there are many sources of infiltration, breaks, sump pumps, etc. We will identify the source, from Croydon Park, Delaware River areas; there is a high table there. That is in combination of an aging system. We have issues. The main focus is in Croydon because of problems already identified. Ken Smith stated there is nothing stopping water from going through holes in the manholes.
10. Bob Lewis-said when the budget was approved there was no discussion on the ten percent sewer increase it should have been discussed. Also, past inflow and infiltration studies showed

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the sump pumps are located on Dixon Avenue in the area of Hartwells Garage and Spencer Drive.

11. West Retzler--spoke of the rate increase for LBCJMA which was in the paper today. President Tarlini stated they have their own meeting. Mr. Retzler stated Route 413 and Western Avenue lights need timing. When I sit through the light I'll call WBCB radio room and the Township. The police department is now giving mileage for females.

ADJOURNMENT:

Councilwoman Davis called for the motion to adjourn. Second by Vice President Pluta. The meeting adjourned at 10:30 P.M.

Respectfully submitted

Denise Gorry

Secretary

/dg

MOTIONS APPROVED:

1. Approve the minutes of November 6, 2008.
2. Approve the outstanding voucher list and requisitions for December 2008.
3. Approve the outstanding voucher list and requisitions for December 2008 for the Sewer Department.
4. Approve the Reaffirmation of Green Lane Properties, amended final plans- Bristol Commerce Center.
5. *Deny* the request from Wilkinson Memorial United Methodist Church to waive the permit and inspection fees for installation of a new boiler.
6. Approve Housing Assistance Program through the Community Development Department.
7. Hold a five minute recess (9:05 P.M.).
8. Resume the meeting (9:10 P.M.)
9. Waive the \$180 sign fee for the Temple Shalom.

MOTIONS TABLED:

1. Minutes of November 20, 2008.
2. Discussion regarding the adaptive reuse of the Weed Chevrolet Property.
3. The request to allow occupancy without the cost of fees to Neighborhood First Program Inc. in regards to the new location at 5905-A Emilie Road.

	NAME	STREET ADDRESS	AGENDA (X)	OTHER (X)	
1	JIM BRACKEN	712 PATTERSON AVE CROYDON, PA. 19021	X		9:45
2	FRANK STADLER	4101 HILLSIDE AVE NEWPORTVILLE PA 19056	X	X	N/A
3	BOB AVSURA	Borden Beach Rd	X	X	9:50
4	GALLUS OBEERT	FREEDOM LN	X	X	
5	CHARLES SCHULTZ	Ave A Newportville	✓	✓	10
6	HISA DIGIOIA	11 PENNIAE DR.		✓	
7	CAROL ESTERLINE	BRISTOL TWP		✓	10:08
8	Joan Mormando	Bristol Twp		✓	10:10
9	KEN SMITH	BRISTOL Twp Edgey		✓	10:15
10	BOB LEWIS	202 LOUISE AVE	✓	✓	10:22
11	WEST KOTLER	WEST BRISTOL			10:25
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