

**BRISTOL TOWNSHIP
2501 BATH ROAD
BRISTOL, PA 19007**

MARCH 1, 2012

COUNCIL MEETING

President Lewis called the meeting to order at 7:10 P.M.

President Lewis announced that Personnel and Litigation were discussed in Executive Session.

Roll Call:	Mr. Tucker	Absent.
	Mr. Pluta	Present
	Mr. Bowen	Present
	Ms. Longhitano	Present
	Mr. Glasson	Present
	Vice President Brennan	Present
	President Lewis	Present

Motion by Vice President Brennan to approve the minutes from the February 1, 2012 Council Meeting. Second by Ms. Longhitano.

Motion carried by a vote of 7-0, unanimous.

PUBLIC HEARINGS:

An Ordinance of the Township of Bristol, County of Bucks, Changing the Classification of a 4.0992 Acre Portion of Tax Map Parcel No. 05-042-116, Located on Edgely Road and Mill Creek Parkway, from R-2 Residential to C-Commercial.

Mr. Flager said there were two notices put out in the Bucks County Courier Times. The property was posted. There are pictures showing the property was posted.

Mr. Tom Hecker spoke on behalf of the applicant to change the Zoning on the approximant four acre lot. The purpose of the request is to build a Bottom Dollar

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Food Store. There was no pre-existing building available in the area.

Mr. Rik Longacre the Site Designer and Mr. Eric Gibson the Bottom Dollar Representative for Bottom Dollar gave a Power Point Presentation giving the background on the Bottom Dollar Food Chains showing and site development plan.

Mr. Pustiak said there are plenty of vacant buildings that can be used for the store.

Mr. Gibson questioned if there was a better place for the store that they could have used an existing building.

Mr. Retzler said they could look at the old Wal Mart in Fairless Hills and the old Freight Liner property.

Mr. Tim Summers said he lives across the street and he does not want the store there because of traffic and the lighting. He said people will be using Verdant Road as a cut through.

Mrs. Keyser of Verdant Road said her road will be used as a cut through and there is enough traffic going through already. There are a lot of accidents at the traffic light already.

Mr. Longacre said Penndot did a traffic study.

Mr. Obert questioned what the difference in the impervious surface between commercial and residential

Mr. Longacre said the lot would not be appropriate for residential homes. There will be an underground storage for water below the paving.

Mr. Tucker questioned if they would be hiring Township Residents.

Mr. Gibson said they will be hiring within the community he does not know how many will be Township Residents.

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Mr. Pluta questioned who will maintain the water level in Black Ditch. He has concerns with the water level because the nature of the property and does not want to add more water run off in that area.

Mr. Hecker said they have done every thing they can to avoid impact to that area. There will be a development agreement with the Township and Bottom Dollar will post security. There will also be a storm water maintenance agreement.

Mrs. Janet Keiser said the store is going to cause more traffic. There are already many stores within five minutes of this store to add another one in is not a good decision.

Mr. Dale Frazer said there are nine different grocery stores in the area.

Mr. Longacre said none of the other stores are a direct competitor of this store.

Mr. Ken Smith said tractor trailers are never going to make that turn east it will be a traffic hazard.

Mr. Longacre said Penndot did comment on the driveway, that and there has been a change to the exit.

Ms. Helen Miller asked if they were only required to deal with two year storms.

Mr. Longacre said they are dealing with hundred year storms. The larger storms are taken into consideration.

Mr. Retzler asked if the tractor trailers are going to be limited to deliver when there is no traffic.

Mr. Longacre said he would not make any guarantees for the time of deliveries or restrict how a business operates.

Mr. Craig Geier said it would be nice to see the store at he other end of the Township by West Bristol and Croydon where it is needed.

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Mr. McCauley said that the previous Council approved a minor subdivision application December 15, 2011. Council has a recommendation for approval from the Bristol Township Planning Commission of January 18, 2012.

Motion by Mr. Bowen to approve an Ordinance of the Township of Bristol, County of Bucks, Changing the Classification of a 4.0992 Acre Portion of Tax Map parcel No. 05-042-116, Located on Edgely Road and Mill Creek Parkway, from R-2 Residential to C-Commercial. Second by President Lewis.

Mr. Obert asked Council not to put a business in their back yard.

Motion carried by a vote of 5-1 with Mr. Pluta voting no and Mr. Tucker abstaining.

Mr. Flager said the previous Council approved the subdivision. Council has approved the zoning change tonight. They will now have to go to the Zoning Hearing Board for some variances that are required. They will have to come back to Council for Land Development and the issues such as lighting, access to the highway, egress and curbing will be addressed.

Mr. Flager said the New Administration of Government has been advertised. There were some changes made to section 532 submission of the Budget it now is no later than November 15th. Section 5-70 Department of Fire Marshal, traffic safety studies maintaining and installing traffic devises has been removed. That is handled by the Police Department and Public Works. Section 5-71-C15 Fire Marshal Emergency Management aid in the volunteer Fire Companies activity was removed. It was redundant with subsection 9 coordinate Volunteer Fire Companies operations and activity and the volunteer Ambulance service. Section 5-71-C16 was removed as the Fire Prevention Board no longer exists. Section 5-82-B3 Zoning Hearing Board the language was changed to allow Council the opportunity to have alternates. Section 5-84-B3 Civil Service Commission the opportunity to make appointments for alternates.

Motion by President Lewis to approve the Ordinance of the Township of Bristol, County of Bucks, Adopting a New Administrative Code known as Chapter 5, Administration of Government for the Organization and Administration of Bristol

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Township's Government consistent with the Township's change to the Council-Manager Form of Government. Second by Mr. Glasson.

Mr. Flager added that this was Ordinance 2012-3.

Mr. Obert questioned when the Ordinance will be available on E-Code. He feels the residents should receive a copy of the Ordinance for free.

Mr. McCauley said the Ordinance will be available on the website for review if anyone does not want to pay the State Mandated 25 cents a page. That will be done as soon as possible.

Motion carried with a vote of 7-0, unanimous.

President Lewis thanked everyone on the Transition Committee for all the work on the Ordinance, especially Mr. Turner for all his work as Secretary of the Transition Committee.

Motion by Mr. Tucker to approve the Final Land Development for Property Located at 6912 New Falls Road, Tax Parcel 05-034-132, known as Rite Aid Drug Store. Second by Mr. Pluta.

Mr. Obert questioned what happened to the other half of the project with the gas station.

Mr. Young said he was told the bank deal fell through.

Motion carried with a vote of 7-0, unanimous.

Motion by President Lewis to table the agreement between Bristol Township and the City of Burlington, New Jersey for the purpose of Mutual Sharing of Fire Service Resources to allow their Fire Departments to provide Manpower and Apparatus until the March 15, 2012 Council Meeting. Second by Mr. Glasson.

Motion carried with a vote of 7-0, unanimous.

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OTHER BUSINESS:

Mr. McCauley said the Director of Community Development has submitted applications received for the Housing Assistance Program with a list of the applicants and the proposed work for Councils review. No action is needed.” The Township has an equitable agreement certification from the Police Department these are funds received from the United States Justice Department. He requested a Motion for the Council President to sign.

Motion by President Lewis to authorize the Council President to sign the Equitable Agreement Certification from the Police Department received from the United States Justice Department. Second by Ms Longhitano.

Mr. Pluta asked if the Certification is going to be changed.

Mr. McCauley said it has already been submitted this is ratification. The Police Department had to submit it yesterday. He said he did not think this was ever approved in the past, but if the Council President is going to sign a document it should be reflected in the minutes.

Mr. Obert said there are things on the agenda the residents no nothing about. The residents should be informed and know what Council is voting on. He said he hoped Council does not vote on this.

Vice President Brennan said this was not discussed in the past and that is why it was discussed tonight.

President Lewis said it is under Other Business and he wanted it to be discussed so everyone would know about it.

Motion carried with a vote of 6-1, with Mr. Pluta voting no.

Mr. Pluta requested an update on the staffing situation for the Sewer Department, when the positions would be filled.

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Mr. McCauley said he would be happy to give Council an update.

Mr. Pluta questioned when the generator and the discharge pump from the Casino Grants will be purchased.

Mr. McCauley said he could not answer that question.

Mr. Pluta asked when the electrical problem that is a safety issue is going to be repaired.

President Lewis asked if it was the pumping station on Oak Avenue.

Mr. Pluta said he did not know if it was on Oak Avenue.

Mr. Pluta asked if the FBI was in the Township Building last week.

Mr. McCauley said he could not confirm or deny anything.

President Lewis said he heard that the FBI was here, but did not know why.

OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL:

Mr. Ken Keiffer of Blue Ridge Drive said this ship is sinking. The new Council Members get upset when the older Council Members ask questions. The Township's \$90,000,000.00 debt has accrued over 50 years. The Township cannot take from the Police Department or the Road Crew. Mr. Keiffer spoke on benefits and vacation time, and said there are people going out of here with a lot of money.

Mrs. Linda Tarlini of Bristol read a statement about the investigation for misappropriation of funds. There was an article in the paper about the use of UDAG Funds. These funds date back to the 1980s. It has been used for neighborhood projects and community events. She was told these are Federal Funds which followed federal guidelines for UDAG through the Community Development Office. There is a mural project that was stopped that was supposed to be displayed in the Township Building. The UDAG funds were paying for the community project.

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The project is half completed and half paid for. Mrs. Tarlini requested Council to finish the project that is already in progress.

Ms. Longhitano said UDAG does not exist. To spend \$32,000.00 on a mural when pipes in the basement are leaking, and so many people losing their homes. She could have the students participate in a mural and not spend that kind of money.

Anne Vesce of Woodlawn Drive said Route 413 is going to be paved and asked if Council will be on top of it. When they paved the part up by Route 1 they did a bad job.

Vice President Brennan said that it was temporary fix for the winter. They are going to mill it and resurface it.

Mr. Ken Smith questioned the percentage Berkheimer receives from the \$10.00 tax.

Mr. Pluta said he believes it is around 2 percent.

Mr. Smith said maybe the Township should collect it in house.

Mr. Smith questioned if the \$150,000.00 to hire two new employees in the Sewer Budget necessary.

President Lewis said they do not have that information. They will be looking into it.

Mr. Dale Frazer of Freedom Lane questioned if Grant Money could be used to control the flooding problem in Black Ditch. It is going to be exacerbated by the new construction.

Vice President Brennan said the Bottom Dollar will be responsible to create less run off than what is already there before the project. Council is working on trying to get money to help all the flooding in the Township.

Mr. Don Thomas of Border Rock Road thanked Council for putting up the lights at the girl's softball field. The lighting was very poor.

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Gallus Obert of Freedom Lane spoke on the earned income tax collection by Keystone. If you work in New Jersey the employer does not have to take it out. Mr. Obert questioned if the flooding in the basement will damage the evidence down there.

Mr. Glasson said the manager is getting estimates to repair the problem. He does not believe that any evidence down there is in jeopardy.

Mr. Gerard Lykon said the construction on Rt. 413 will start in April and will be completed in July. Mr. Lykon asked Council to speak to the School Board to change their meetings because they are on the same night as the Council Meeting. He said they should also televise the meetings.

Mr. Tucker said that is up to the School Board and they cannot get into their business.

Mr. Wes Retzler of Bristol questioned what is happening with the sale of the Water Department.

President Lewis said it is going in front of the Pennsylvania Utility Commission.

Mr. Retzler questioned if the residents are going to get a free copy of the Administration Code.

Ms. Longhitano said there will be a copy available for residents to review if they do not have a computer and do not want to purchase one.

Mr. McCauley said there is a copy for review in the Tax Office.

Mr. Retzler questioned if the Township was paying another Authority to do the camera work.

President Lewis said he does not believe they are.

Motion by Ms. Longhitano to adjourn the meeting at 9:52 P.M. Second by Mr. Bowen.

Motion carried with a vote of 7-0, unanimous.

**BRISTOL TOWNSHIP COUNCIL MEETING
MARCH 1, 2012 CONTINUED**

- 1. Motion to approve the minutes from the February 1, 2012 Council Meeting.**
- 2. Motion to approve an Ordinance of the Township of Bristol, County of Bucks, Changing the Classification of a 4.0992 Acre Portion of Tax Map parcel 05-042-116, located on Edgely Road and Mill Creek Parkway, from R-2 to C-Commercial.**
- 3. Motion to approve the Ordinance of the Township of Bristol, County of Bucks, Adopting a New Administrative Code known as Chapter 5, Administration of Government for the Organization and Administration of Bristol Township's Government consistent with the Township's change to the Council-Manager form of Government.**
- 4. Motion to approve the Final Land Development for Property Located at 6912 New Falls Road, Tax Parcel 05-034-132, known as Rite Aid Drug Store.**
- 5. Motion to table the agreement between Bristol Township and the City of Burlington, New Jersey for the purpose of Mutual Sharing of Fire Service Resources to allow their Fire Departments to provide Manpower and Apparatus until the March 15, 2012 Council Meeting.**
- 6. Motion to authorize the Council President to sign the Equitable Agreement Certification for the Police Department received from the United States Justice Department.**
- 7. Motion to adjourn the meeting at 9:52 P.M.**

**Respectfully submitted by
Betsey Kelly
Secretary**