

# BRISTOL TOWNSHIP

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

## COUNCIL MEETING

April 16, 2009

The meeting was called to order by President Tarlini at 7:00 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 was not present but Mr. Bartlett provided information regarding Earth Day, recycling, keeping Bristol Township cleaner and when dumpsters will be at the municipal site. The Weed and Seed area is part of the clean up. National police memorial week is from May 10 to May 16. Summer camp applications and applications for counselors will be taken until April 30<sup>th</sup>. The summer camp is \$350. May 9 is sign up. The program runs from June 29 to August 14. The carnival is planned for June 9 to June 13, there will be fireworks.

### PRESENTATION AND RESOLUTION REGARDING KEYSTONE OPPORTUNITY ZONE:

Express Scripts proposed to relocate their current prescription drug business from Bensalem to Bristol Township (Rittenhouse Circle). The company was founded in 1986 and has eleven thousand employees in the United States. They are the second largest pharmaceutical benefit company. It promotes home delivery of generics. Three hundred employees are on site in Bensalem, Tom Rofford, the Vice President of corporate real estate services is looking at sites for the location. The existing work force would be used and sixty new jobs would be created the first year. There will be a total of three hundred jobs. They asked for a resolution (for KOEZ zone) for exemption from taxes, in lieu of will be a minimum of \$25,000 for earned income tax. If taxes go up the difference would be paid to the Township. This is a ten year agreement (through December 31, 2020); this must be in by May 1, 2009. Mr. Sacco stated this is the old Jones of New York (parcel number 5-23-48) it is fifteen point six acres to be designated a KOEZ zone, exempt from taxes and given opportunity with grants and low interest loans. We would have to work out an agreement with the school district. Councilwoman Davis stated the earned

BRISTOL TOWNSHIP COUNCIL

April 16, 2009

income tax is not exempt. This will help local businesses (restaurants etc). This is a pilot agreement. They have to get other agreements. We have a lot of unemployed people, which is important to us. Councilman Monahan stated I am a participant in this program, they call and assist immediately. I am very pleased. Councilman Monahan called for the motion to approve the proposal from Express Scripts to relocate their current prescription drug business from Bensalem to Bristol Township (Rittenhouse Circle) and a resolution to be drawn up regarding the KOEZ zone for tax exemption, but if the taxes are higher than \$25,000 (paid through earned income tax) Express Scripts would pay the difference. Second by Councilman Mobley. Poll: all ayes. Motion approved.

VOUCHER LIST & REQUISITIONS AND MINUTES:

- A. Call for a motion to approve the outstanding voucher list and requisitions for March 2009. Vice President Pluta called for the motion to approve the outstanding voucher list and requisitions for the month of March 2009 with the exception of holding the current Pennoni bill for verification and adding the Lima bill which was held in February and corrected. 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

- B. Call for a motion to approve the outstanding voucher list and requisitions for the Sewer Department for March 2009. Councilman Monahan called for the motion to approve the voucher list and requisitions for the Sewer Department of March 2009. Second by Vice President Pluta.

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

Motion approved: 4-1

- C. Call for a motion to approve minutes from the following Council Meetings: November 20, 2008 and February 19, 2009. Councilman Pluta called for the motion to approve the minutes of November 20, 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

April 16, 2009

Councilman Monahan called for the motion to approve the minutes of February 19, 2009.  
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:

Towing Ordinance Amendments;

Mr. Bartlett asked for authorization to advertize the changes in the towing ordinance amendments and put on the website. There were a few changes, take rates out of the ordinance. Council can change rates by resolution and create an informal arbitration panel to informally arbitrate bills (unfair ones). It does not stop any other legal action. This will simplify and bring the ordinance up to date. Councilman Monahan called for the motion to approve Resolution Number 2009-12 for Towing Ordinance Amendments and to authorize advertisement of changes. Second by Councilman Mobley. Poll: all ayes. Motion approved.

Mr. Bartlett requested authorization to approve Resolution number 2009-13 for the Department of Conservation resource grant, Edgely Park, Near Coates Avenue building design. \$150,000 is in escrow for this. The resolution authorizes the managing director to sign the agreement. It designates the manager as official signer. Councilman Monahan called for the motion to approve resolution number 2009-13 the Department of Conservation Resource grant. Second by Vice President Pluta. Poll: all ayes. Motion approved.

Mr. Bartlett opened three bids for the 195 pumping stations: Emcor Services-Fluidics, Inc., alternate number one was in the amount of \$279,982, alternate number two was in the amount of \$311,202; Almeida Hudak Contractors, LLC alternate number one was in the amount of \$184,000, alternate number two was in the amount of \$219,000; C&H Industrial Services, Inc. alternate number one was in the amount of \$212,800, alternate number two was in the amount of \$252,200. The bids will be evaluated and recommendation for further action will be given.

Mr. Bartlett opened two bids for the summer recreation transportation, GST Transportation Corp, trips for six hours was \$270 plus \$45 per hour for each hour after, the second bid was Start Transit for six hours was \$550 plus \$30 per hour for each hour after. The bids will be evaluated and recommendation for further action will be given.

Two bids for general hauling were opened by Mr. Bartlett. The first bid was from DeNucci & Sons for \$64.50 per hour for up to eight hours and \$64.50 for every hour after. The second bid

April 16, 2009

was from Superior Material for \$72.49 per hour for the first eight hours and \$72.49 for every hour after. The bids will be evaluated and recommendation for further action will be given.

Respond to Resident Complaints;

Mr. Bartlett stated there was a letter in the newspaper yesterday about snow plow damage. I apologize, but, I was not aware. Public Works addresses complaints. They will take care of the matter.

#### SUBDIVISION/LAND DEVELOPMENT

##### Subdivision:

1. Habitat for Humanity, 215 Matthews Avenue, New Britain PA requesting Preliminary & Final Subdivision approval for property located on Colonial Avenue, Bristol (Tax Parcels #5-61-258 & #5-61-259) in order to construct four (4) townhouses in an R-4 Residential zoned district of Bristol Township. Charles Marty was the representative, Keith Dumak was the engineer. Linda Andrews from Habitat for Humanity, an international organization gave a presentation. Their mission is to build affordable homes. Seventy two homes were built in Bucks County. A lot of volunteers and public support is utilized. The United States people spend more than half their income on their mortgage. The mission of Habitat for Humanity is for the mortgage monthly cost to be one third of their monthly income. Some families are living in substandard conditions. The homes are sold at cost (\$100,000) three bedroom townhomes. There is a second lien by the County which is to be paid only if the house is sold. \$16,000 in property tax contribution will be from this project. Mr. Dumak, the site engineer for the project said this is a parcel on Colonial Avenue in Venice Ashby of Bristol. There are no sidewalks, the groundwater discharge is under the driveways, permeable pavers are in the driveways and sidewalks will be installed and dedicate some open space depending on the Council's wishes. One variance is needed (townhouse). The request for waiver of curbs was approved. The Planning Commission said it was okay. There is a waiver of the driveways being five foot apart. These are all shared driveways. Three parking spaces are in each driveway. The plans need to be approved by Council. Councilwoman Davis asked how involved Habitat is with the homeowner's association? President Tarlini stated habitat will work with the attorneys to develop rules and regulations. Homeowners pay monthly dues, used for maintenance; also a management company is involved. Councilwoman Davis stated it is easier when the homes are not as close we have had neighbor problems in the past. President Tarlini said the Township has a lot of parks to maintain. The homeowner's association would be responsible for the park. Councilman Monahan stated the homeowners should own it. Mr. Sacco stated we don't need to determine that tonight just say design site, open spaces for them to maintain. Councilman Mobley called for the motion to approve the homeowner's association request for design site and open space (for them to maintain), they will decide what to

do with the land. Second by Councilman Monahan. Poll: all ayes. Motion approved. Vice President Pluta called for the motion for preliminary and final approval of three waivers, items, one, two and seven and the fire hydrants to be shown on the plan. Second by Councilwoman Davis. Poll: all ayes. Motion approved.

Land Development

1. Quarles Petroleum Inc., 1701 Fall Hill Avenue, Suite 300, Fredericksburg VA, requesting Final Land Development approval for property located on Edgely Access Road, Levittown (Tax Parcel #5-70-41-4) in order to construct an unattended fuel station in an M-1 Light Manufacturing zoned district of Bristol Township. Jeff Skinner from William Major's office was the representative. The proposed would provide gas to diesel trucks. The site is currently used for parking tractor trailers. They want a twenty year lease. It will have three diesel lanes, two gas lanes, and a detention basin system for drainage that dispenses at rate less than a French drain system and separates oil from water. Eighty stations are worldwide with no major issues. The computer system will monitor the release of fuel. If a problem occurs it will shut down automatically for maintenance. Clientele are local trucking companies with accounts. There is very little truck traffic. It is all local. They get a discount on gas compared to local gas facilities. Gary Smith stated I went over the Items, the Planning Commission recommends preliminary approval. Mr. Skinner stated they will own and maintain the detention basin system. Drainage will be adjusted on site as directed by Gary Smith. Mr. Smith stated the whole application is one we never had before. I want DEP to say this is fine. I know they have many of these with no trouble. I don't want to be the first. The Planning Commission recommends the preliminary plans. Vice President Pluta asked could we approve preliminary and leave them come back for Gary Smith's concerns? Mr. Sacco responded yes or say must satisfy Gary Smith's concerns. Vice President Pluta called for the motion to deny the final approval until all concerns on the list provided are reviewed and approved by Gary Smith, preliminary approval will be granted. Second by President Tarlini. Poll: all ayes. Motion approved.

COUNCIL ITEMS:

- A. Councilman Monahan called for the motion to approve the Housing Assistance Program as requested by Thomas McDermott, Community Development Director. 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

April 16, 2009

B. Call for a motion to approve the lowest bidder for the 2009-02 Milling & Paving Bid- Arawak Paving. Mr. Bartlett stated the liquid fuels representative is satisfied the company will get approval for asphalt before paving starts. Mr. Lawson stated some of our paving is done in house; the paving season is from July to October, which is not even six weeks. We will also work with Aqua for the paving Project. Councilwoman Davis said there were problems with Arawak; we don't want the same problems as Middletown had. Mr. Kuteman (Counsel for Arawak Paving) said the punch list of items are now approved, milling in certain areas were varied issues, which were addressed as approved. They are a responsible bidder. Mr. Bartlett stated we would take bid bond, which are received ahead. President Tarlini stated we have a lot of drainage issues. We should try for one year. They have a warranty. If other things are not done then we will go back to paving ourselves. Mr. Lawson stated I gave information to Council. Public Works usually has thirty one people on a budget, now the number of people is twenty six. We are missing on employee who went to the sewer plant and one because of a long term workman's compensation. We are left with nine men to do the work all summer. Everything stops when paving starts. We have to combine the entire group and we get behind. I wouldn't ask if I thought we could do it. President Tarlini said we do get a warranty with the company. Our own people are not professional pavers. Vice President Pluta stated we do have a hiring freeze. No part time help will be hired for the summer. He will have nine to ten employees a day for the summer. You can't do projects with that. Their staff is limited. Mr. Bartlett stated we will continue to do small projects. The equipment will not go to waste. Liquid fuels money can be used the next year if it is not used. Mr. Obert said this could have been done for less money in house. Councilman Monahan called for the motion to approve the lowest bidder for the 200-02 Milling & Paving Bid- Arawak Paving. Second by Vice President Pluta.

Roll Call Vote:

Councilman Mobley	no- all liquid fuel was to money to be spent on paving
Councilman Monahan	yes
Councilwoman Davis	yes
Vice President Pluta	yes
President Tarlini	yes

Motion approved: 4-1

C. Call for a motion to approve the estimated proposal from Howard Woods regarding the appraisal value of the sewer plant and facilities (Act 537 Plan). Mr. Sacco stated Council passed a motion previously to analyze the plant. This company did the proposal for Lower Makefield. Is this what you wanted done? What they proposed is because of the major investment for the plant (Act 537). In order to make significant investments the idea was to get numbers, what it is worth. Lower Makefield did this and didn't do anything with it. Councilman Mobley asked is this the only company that does this? Mr. Sacco stated others did put proposals but the number of companies it limited. It was not put in newspapers for RFPs. Councilman Mobley stated I never received the other proposals I can't vote on this tonight. President Tarlini stated we got this from someone else in our packet, but, it is not what we were looking for (Weston). Vice

April 16, 2009

President Pluta stated the other engineer's company offers a scope of what they would do. We are looking for actual value of what is there. We received the information a while back.

A five minute recess was held from 9:45 P.M. to 9:50 P.M.

President Tarlini called for the motion to table the approval of the estimated proposal from Howard Woods regarding the appraisal value of the sewer plant and facilities. 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. Call for a motion to approve the letter of agreement with Aqua. Mr. Bartlett stated Aqua is doing a major water project. Aqua would pay the Township in lieu of them paving (overlay to patch areas) they will pay for the land of travel they disturbed. Councilwoman Davis called for the motion to approve the letter of agreement with Aqua. Second by President Tarlini.

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 FINANCE OFFICER:

Mrs. Gordon stated the auditors finished their field work.

The MDNA will be in by next week.

The first week of May the audit will be complete, the sewer audit may be received afterwards.

The first quarter report to Council was submitted today.

The workmen's' compensation line item will go over budget. A four and a half percent increase was estimated. The increase was twelve percent.

The tax office, building planning & zoning coordinated to review the refuse collection. The rental properties were found for trash and sewer bills, which were not being paid. At least twenty nine more sewer bills were found for this year. Everyone will be treated fairly; others have been charged these

BRISTOL TOWNSHIP COUNCIL

April 16, 2009

fees all along. Mr. Kucher sent two thousand bills to vendors for owed bills. We had good response and information that needed to be corrected. In May we will send one final notice and take them to court. Last year \$400,000 was not paid. I gave Council the preliminary draft for budget time frames for this year.

REPORT FROM PUBLIC WORKS DIRECTOR:

Mr. Lawson reported the Wistar Bridge reopened yesterday.

Pacific Avenue Park, the road and basketball court were paved yesterday. It will be ready for the grand opening.

Drainage work was delayed due to the weather.

REPORT FROM CHIEF OF POLICE:

Chief McAndrew reported last meeting I was given permission to hire four new officers. I will apply for the grant tomorrow.

There is a \$400,000 grant for cameras for the Weed and Seed area. We will put the specs together. We have two bays now for confiscated vehicles.

Councilman Monahan stated at Norwood and Prospect there is a stop sign which needs a study done. Chief McAndrew responded we are expecting a report on that by next meeting.

REPORT FROM DIRECTOR OF BUILDING, PLANNING & ZONING:

Reaffirmation of Subdivision-Rohm & Haas Company, West Side of Route 413 & the Delaware River (across from Maple Beach). Mr. Kucher stated the ninety days ran out. Councilwoman Davis called for the motion to approve the reaffirmation of Subdivision-Rohm & Haas Company, West Side of Route 413 & the Delaware River (across from Maple Beach). Second by Vice President Pluta. Poll: all ayes. Motion approved.

Mr. Kucher stated I got in touch with Opus and the police department regarding the traffic at Keystone Industrial Park. A full report will be given at the next meeting.

REPORT FROM WATER & SEWER DIRECTOR:

Mr. Britton thanked Herb Schoell from the Fire Department for the utility water shut offs of the Pennsylvania Turnpike properties.

The water department is doing Hydrant flushing in Newportville and Fergusonville. The dates will be advertised.

Other routine operations and maintenance are ongoing in the sewer department.



BRISTOL TOWNSHIP COUNCIL

April 16, 2009

REPORT FROM SOLICITOR:

Mr. Sacco requested approval of the Sun life Resolution; this is documenting Mrs. Gordon and Mr. Bartlett to sign all documents. Councilman Monahan called for the motion to approve the resolution from Sun life documenting Mrs. Gordon and Mr. Bartlett to sign all documents. Second by Vice President Pluta. Poll: all ayes. Motion approved.

OTHER:

Councilman Mobley stated a woman from Harris Avenue sent a letter to the newspaper saying she never sees a police car; please send a car down Harris Avenue. Chief McAndrew stated I will call her.

PUBLIC COMMENT:

1. Gallus Obert-requested the copies of the bill paying reports be available at the meetings. President Tarlini stated last meeting it was posted but someone removed it, we are now putting it on the website, with the receptionist and in the lobby.
2. Anne Vesce-did not speak.
3. Bob Lewis-did not speak.
4. Bettie Richardson—did not speak.
5. Michael Nagel-spoke of multiple issues with wet lands, kids are making trouble in the area. Mr. Kucher stated previously Mr. Nagel started taking trees down and laying stone on top, neighbors complained to agencies who did not like this. Mr. Nagel stated I wanted to fence and light the area. Councilman Mobley suggested checking with the neighbors. Mr. Kucher said I will contact Mr. Nagel and try to work something out. Chief McAndrew stated I will look into the problem (kids making trouble in the area).
6. West Retzler-suggested the use of juveniles (through the judge's office) for clean ups, etc. be used more often in Bristol Township.

ADJOURNMENT:

Councilwoman Davis called for the motion to adjourn. Second by President Tarlini. Poll: all ayes. Motion approved. The meeting adjourned at 10:40 P.M.

Respectfully submitted

*Denise Gorry*

Secretary

/dg

MOTIONS APPROVED:

- 1) Approve the proposal from Express Scripts to relocate their current prescription drug business from Bensalem to Bristol Township (Rittenhouse Circle) and a resolution to be drawn up regarding the KOEZ zone for tax exemption, but if the taxes are higher than \$25,000 (paid through earned income tax) Express Scripts would pay the difference.
- 2) Approve the outstanding voucher list and requisitions for the month of March 2009 with the exception of holding the current Pennoni bill for verification and adding the Lima bill which was held in February and corrected.
- 3) Approve the voucher list and requisitions for the Sewer Department of March 2009.
- 4) Approve the minutes of November 20, 2008.
- 5) Approve the minutes of February 19, 2009.
- 6) Approve Resolution Number 2009-12 for Towing Ordinance Amendments and to authorize advertisement of changes.
- 7) Approve resolution number 2009-13 the Department of Conservation Resource grant.
- 8) Approve the homeowner's association request for open space and let them decide what to do with the land (Habitat for Humanity).
- 9) Preliminary and final approval of three waivers, items, one, two and seven and the fire hydrants to be shown on the plan. (Habitat for Humanity)
- 10) **Deny** the final approval until all concerns on the list provided are reviewed and approved by Gary Smith, preliminary approval will be granted.
- 11) Approve the Housing Assistance Program as requested by Thomas McDermott, Community Development Director.
- 12) Approve the lowest bidder for the 200-02 Milling & Paving Bid- Arawak Paving.
- 13) **Table** the approval of the estimated proposal from Howard Woods regarding the appraisal value of the sewer plant and facilities.
- 14) Approve the letter of agreement with Aqua.
- 15) Approve the reaffirmation of Subdivision-Rohm & Haas Company, West Side of Route 413 & the Delaware River (across from Maple Beach).
- 16) Approve the resolution from Sun life documenting Mrs. Gordon and Mr. Bartlett to sign all documents.