

BRISTOL TOWNSHIP

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

COUNCIL MEETING

AUGUST 21, 2008

The meeting was called to order by President Davis at 7:05 P.M.

EXECUTIVE SESSION: personnel and litigation were discussed.

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

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

Public comments will be taken as each item is addressed. General comments will be taken during Opportunity for Residents to Address Council.

SWEARING IN OF BRISTOL TOWNSHIP OFFICERS (by Judge Klein):

Presented by Lieutenant Godzieba: New officers were Kelly Fronk, Course was completed by: Frank Goodman and Kevin Jackson.

EXECUTIVE REPORT:

Mayor Fenton said I would like to appoint Raymond Blalock to the Civil Service Commission as alternate. Vice President Tarlini called for the motion to appoint Raymond Blalock to the Civil Service Commission as an alternate. Second by President Davis. Poll: all ayes. Motion approved.

Mayor Fenton requested a civilian gun back program; for the meeting next month and said the police should also receive an incentive for taking unlicensed guns off the streets. Councilman Mobley requested information on the gun back program.

REPORT FROM DIRECTOR OF BUILDING, PLANNING & ZONING; SUBDIVISION/LAND DEVELOPMENT:

LAND DEVELOPMENT:

1. PRESENTATION OF MILLER TRAILER PARK: Charles Marte represented Habitat for Humanity; Thirty six town houses are planned. Previously there were sixty one mobile homes which got run down. Highlander Realty is trying to market this to the community now. Habitat for Humanity is now planning to develop the site. The site is three point thirteen acres of ground. Thirty six townhouses are proposed with garages. They will be two story and owner occupied. Also proposed is overflow parking (thirty nine spaces). Habitat would buy this without approval in advance. Council was asked to say if they are not in favor so the non-profit organization doesn't spend money unnecessarily. Council said they can't respond this was just a preview. Council asked questions and had discussion; whether the properties being owner occupied means they can't be rented, the price range and the appraisal value. Mr. Marte stated the homes will not be rented they will be owned. Mike Fallon; project manager for Habitat for Humanity stated some of these homes will appraise between \$195,000 to \$200,000. Linda Andrews Executive Director of Habitat for Humanity said this is a worldwide organization. It would be a mixed income community. Many of the families earn \$35,000 per year. The homes are sold at cost. It will take three years to complete the project. Seventy percent of the labor is volunteer. Councilman Monahan said Habitat for Humanity is an asset to the community.

COUNCIL ITEMS:

- A. Councilman Monahan called for the motion to approve the outstanding voucher list and requisitions for July 2008. Second by Councilman Pluta.

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

Motion approved: 5-0

- B. Councilman Pluta called for the motion to approve the outstanding voucher list and requisitions for the Sewer Department for July 2008. Second by Councilman Monahan.

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

Motion approved: 5-0

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- C. Call for a motion to approve minutes from the following Council Meetings: May 15, 2008, June 5, 2008 and June 19, 2008.

Vice President Tarlini called for the motion to approve the minutes from the meeting of May 15, 2008. Second by Councilman Monahan.

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

Motion approved: 5-0

Vice President Tarlini called for the motion to approve the minutes from the meeting of June 5, 2008. Second by President Davis.

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

Motion approved: 5-0

Vice President Tarlini called for the motion to approve the minutes from the meeting of June 19, 2008. Second by Councilman Pluta.

Roll Call Vote: Councilman Mobley	yes
Councilman Pluta	yes
Councilman Monahan	yes
Vice President Tarlini	yes
President Davis	abstain (not present at June 19 meeting)

Motion approved: 4 ayes-1 abstain.

- D. Councilman Monahan called for the motion to approve Ordinance 2008-10; an ordinance authorizing the issuance of federally taxable general obligation bonds, series of 2008 in the amount of \$11,430,000; providing for the date, interest, maturity date and place of payment in respect to the bonds; accepting the proposal of DEPFA first Albany securities, LLC for the purchase of the bonds; authorizing the proper officers to execute and deliver the bonds; authorizing and directing the preparation, certification and filing of the proceedings with the department of community and economic development; and setting forth from of the bonds. Second by Vice President Tarlini.

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

Motion approved: 5-0

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- E. Vice President Tarlini called for the motion to approve Release Request #1, Bristol Commerce Center (AKA Green Lane Prop.) TMP #5-61-421-008 in the amount of \$392,637.20. Second by Councilman Monahan.

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

Motion approved: 5-0

- F. Councilman Monahan called for the motion to approve the release of all escrow funds as held in connection with this project, Walgreens Project #060719, New Falls & Oxford Valley Roads. Second by Councilman Pluta.

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

Motion approved: 5-0

- G. Vice President Tarlini called for the motion to approve going out to bid on a 250kw and a 350kw generator; using the grant monies allocated for a new generator for the township building. Second by Councilman Pluta.

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

Motion approved: 5-0

- H. Councilman Monahan called for the motion to request RFP's to appraise the value of the Bristol Township Sewer Plant to coincide with the introduction of the Act 537. Second by Councilman Pluta.

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

Motion approved: 5-0

REPORT FROM MANAGING DIRECTOR:

Resident request for a two way stop sign on Old Orchard Lane corner of Apple Road: Councilman Mobley called for the motion for the police to investigate the area of Old Orchard Lane, corner of Apple Road for a two way stop sign. Second by President Davis. Poll: all ayes. Motion approved.

Mr. Bartlett stated the milling contract (discussed last meeting) was worked on to iron out the details; we couldn't. Now, we are looking to go to the next lowest bidder which is Associated Pavers. Councilman Pluta called for the motion to go to the next lowest bidder; Associated Pavers for the Milling Contract. Second by Vice President Tarlini. Poll: all ayes. Motion approved.

Mr. Bartlett requested a budget line transfer due to promotion uniforming is needed. Vice President Tarlini called for the motion to approve the line item transfer of \$2,000 from 01-4216-250 to Uniform 01-4626-270. Second by Councilman Monahan. Poll: all ayes. Motion approved.

Mr. Bartlett reported the Bucks County Board of Health is continuing to spray for mosquitoes because of the West Nile Virus Problem. Councilman Mobley requested Mr. Bartlett to get the price for the Township to do the process.

Mr. Bartlett requested approval for a resolution for Council to draw down the money allocated. Councilman Monahan called for the motion to approve the resolution to draw down the allocated money from resolution number 10-2008 in the amount of \$81,795.83 for inflow and infiltration work and approve resolution number 11-2008 to draw down the money allocated to the Redevelopment Authority in the amount of \$19,101.25. Second by Councilman Mobley. Poll: all ayes. Motion approved.

Mr. Bartlett stated the information on the fraud hotline (from the forensic audit) will be provided at the September meeting.

The computer conversion went well. For a short time the computers were completely down. Mr. Lebo was thanked for the good work.

Respond to Resident Complaints:

Last weekend was the Hazardous Waste Program. 1,390 cars, 1,629 households used the program throughout that day. The Township handed out DEP literature on storm water practices.

Bob Ausora thanked the police department for assistance of an assault on himself. A letter was given thanking the police department for an outstanding job.

REPORT FROM DIRECTOR OF PUBLIC WORKS:

Mr. Lawson reported paving is going well, after some setbacks. Our paver broke down. Now, it is fixed and ready to go. Also we're doing drainage jobs. Trees that fall on green belts will be picked up also.

We are thankful for the work done together with the police department. They report complaints they see on the road to us.

Mr. Obert stated I have a spreadsheet of paving project for 2008 and 2009. A copy was given Council. The Committee is finished meeting. We will need a new Committee for next year.

Councilman Mobley requested no swimming signs be put up at Edgely and Riverview. Mr. Lawson will check to see if there is an ordinance and speak to Councilman Mobley.

REPORT FROM SOLICITOR:

Mr. Sacco reported 201 Linton Avenue requested a cell tower; which was denied. They are appealing to the court.

The land for the skate park will be leased to the Township at no cost.

Mr. Ausora asked regarding the Government Study; is there a limit of a person only being able to sign seven forms? Mr. Sacco responded I am not sure if there is a limit. President Davis stated there is no limit.

OTHER:

Councilman Mobley stated the Bath Road and Oxford Valley Road signs at the Township building are in bad shape. Bill Keyser said he would volunteer; if the Township would supply the material. Mr. Lawson responded I will show Councilman Mobley at Public Works the information we found when we checked into that previously.

Councilman Mobley requested an anti graffiti committee. Lieutenant Sava stated there is TAG program and officers report graffiti.

Councilman Mobley stated there should be a meeting with the tech school about beautification.

Councilman Monahan stated on Goldenridge Drive trees are in wires. The whole area should be done. Mr. Lawson stated it could be PECO or Verizon. The best thing would be a letter to PECO referencing the area it is about.

Councilman Monahan stated from Hillary Avenue to Newportville Road a fence is still down.

Turning from Route 13 to Cedar Avenue the sign is placed the wrong way. The sign should be on Route 13 in both directions. This creates traffic jams. Police have been called to that location to direct traffic for the trucks that have to turn around because the sign is in the wrong place.

Complaints have been received, many from Goldenridge about large trucks parking on the streets resulting in people having a hard time getting out of their driveways.

Black Ditch needs to be cleaned out. Do we need permits? Mr. Bartlett responded if it is on the banks or brush, no.

Councilman Monahan said Part of Prospect Avenue is not mowed. Mr. Lawson responded I will check if that is our responsibility or the School District.

Councilman Monahan stated the carelessness of three men changing chlorine cylinders without safety equipment should be looked into.

PUBLIC COMMENT:

- 1) Herb Schoell-did not speak.
- 2) Jane Wolf-(Drexelwood) spoke of a dog lying on the side of the road injured on July 2, 2008. Animal control was called but was out of the office. The police were called. After three calls the police came and said they couldn't do anything because the animal control doesn't work weekends. Veterinarians' said they would only assist if they were paid. The dog was too large

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- to move and died. Later the Animal Control Officer was contacted. Someone should be on call for weekends so this does not happen again. Mr. Bartlett stated sometimes he is called out for emergencies. Mr. Lawson stated the animal control was called out and had the dog cornered but the dog ran away and the animal control officer couldn't find it. Ms. Wolf stated on two different phone calls conflicting stories were told of whether the animal control was or was not sent out for that incident.
- 3) Bob Ausura-said lines should be painted in the parking lot at the Township building. Mr. Bartlett responded that is proposed with capital projects.
 - 4) Jake Tryon-thanked President Davis for putting in the newsletter about the requirements of house numbers but said the newsletter did not list the fine for not having the house numbers.
 - 5) Mark Haydek-spoke of children receiving trespassing citations (\$412 per child) for skateboarding. Lieutenant Sava stated the kids were there all summer and that was okay. The Tech School complained of damage and trash. They posted the area and officers warned the children for ten days. You could ask for a hearing. The Judge can offer youth aid programs. Mr. Hayduk asked can they play on the pad? Mr. Sacco responded we need County approval. Councilman Mobley stated Bill Mitchell should be called to get permission from the County. Mr. Sacco will make the request on behalf of Council.
 - 6) M.C. Huber-(Stream Lane) brought a petition about a rat problem and thanked Councilman Monahan for his assistance and said the rats seem to be coming from Tullytown, the Levittown Shopping Center area through the storm sewers. Councilman Monahan stated we should look into the problem and contact the Health Department. Mr. Lawson stated we contacted the Health Department. They are in the process of taking care of the problem. Councilman Monahan stated we should look into getting rodent control. Mr. Lawson stated baiting and trapping is the Health Department's responsibility. Councilman Mobley requested Mr. Bartlett to meet with Tullytown Township to discuss the problem.
 - 7) Ken Smith-did not speak.
 - 8) West Retzler-requested copies of all the Township meetings. President Davis asked Mr. Retzler to put the request in writing and Mr. Bartlett will provide the cost. Mr. Retzler stated are we going to come out with some outrageous cost so they can't be obtained, it should be something fair. Councilman Mobley stated the recent meetings are on the Website. Mr. Retzler stated I can't figure out how a resident knows the procedure for the animal control officer and Council doesn't have an answer. Proper procedure is the police are given three veterinarian addresses and they take the animal there for emergency care. Councilman Monahan stated Chief McAndrew spelled that out at one of our meetings. Mr. Retzler stated I spelled it out previously. Is the Authority dissolved and why the forensic audit did not include the sewer department? Mr. Sacco responded there is one payment left. The Authority is not dissolved. The auditor looked at the financial statements, nothing in the initial exam jumped out at him. All funds are audited each year. President Davis asked Mr. Retzler to state his question. Mr. Retzler responded you can't answer who advised not to audit the sewer department and do they still have outstanding debt? President Davis stated nobody did. Mr. Retzler stated somebody had to, bring an answer President Davis, I have been direct. Mr. Sacco stated there is only one payment left. The Sewer Authority was never dissolved, I never said it was. Mr. Retzler said the

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police department; if you were parked on the side of the road would they give you a ticket? President Davis responded I don't have that answer; your time is up. Councilman Monahan stated if you have a complaint come up and tell it. The microphone was cut off (due to disruption at the meeting) Mr. Retzler said go ahead and cut me off (to President Davis) I'll just turn the microphone back on. POINT OF ORDER: Vice President Tarlini stated there is Township code for audience participation. You are not following the code for public comment. The code says anyone making offensive, insulting, insulate, slanderous or obscene remarks or who become boisterous or make threats against any person or against public order and security while in the Council meeting room shall be barred by the President from further audience at the meeting unless permission is granted by the majority of Council. Mr. Retzler said when did you have any of that? Vice President Tarlini said you are being insulting. Mr. Retzler said say it again and don't cut it off. Mr. Retzler was removed from the meeting by Lieutenant Sava (at the request of President Davis).

- 9) Helen Cini-spoke of a rodent and mosquito problem behind Borderrock Road. License and Inspections was contacted. President Davis recommended the person with the problem place a call to Mr. Bartlett.
- 10) Gallus Obert-said the blacktop is coming up on Sycamore Avenue and suggested the Townships overlap for animal control on weekends and off hours.

ADJOURNMENT:

President Davis called for the motion to adjourn. Second by Councilman Mobley. Poll: unanimous. The meeting adjourned at 9:35 P.M.

Respectfully submitted

Denise Gorry

Secretary

/dg

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MOTIONS APPROVED:

1. Raymond Blalock to the Civil Service Commission as alternate.
2. Approve the outstanding voucher list and requisitions for July 2008.
3. Approve the outstanding voucher list and requisitions for the Sewer Department for July 2008.
4. Approve the minutes from the meeting of May 15, 2008.
5. Approve the minutes from the meeting of June 5, 2008.
6. Approve the minutes from the meeting of June 19, 2008.
7. Approve Ordinance 2008-10; an ordinance authorizing the issuance of federally taxable general obligation bonds, series of 2008 in the amount of \$11,430,000; providing for the date, interest, maturity date and place of payment in respect to the bonds; accepting the proposal of DEPFA first Albany securities, LLC for the purchase of the bonds; authorizing the proper officers to execute and deliver the bonds; authorizing and directing the preparation, . Certification and filing of the proceedings with the department of community and economic development; and setting forth from of the bonds.
8. Approve Release Request #1, Bristol Commerce Center (AKA Green Lane Prop.) TMP #5-61-421-008 in the amount of \$392,637.20.
9. Approve the release of all escrow funds as held in connection with this project, Walgreens Project #060719, New Falls & Oxford Valley Roads.
10. Approve going out to bid on a 250kw and a 350kw generator; using the grant monies allocated for a new generator for the township building.
11. Request RFP's to appraise the value of the Bristol Township Sewer Plant to coincide with the introduction of the Act 537.
12. Police to investigate the area of Old Orchard Lane, corner of Apple Road for a two way stop sign.
13. Go to the next lowest bidder; Associated Pavers for the Milling Contract.
14. Approve the line item transfer of \$2,000 from 01-4216-250 to Uniform 01-4626-270.
15. Approve the resolution to draw down the allocated money from resolution number 10-2008 in the amount of \$81,795.83 for inflow and infiltration work and approve resolution number 11-2008 to draw down the money allocated to the redevelopment Authority in the amount of \$19,101.25.

	NAME	STREET ADDRESS	AGENDA (X)	OTHER (X)
1	HERB Schaeff	2910 BATH Rd	FIRE CD	
2	Tam Wolf	524 Cassingham Rd	Animal Control Weekends	X
3	Bob Anzora	BLUE RIDGE DR	*	*
4	JAKE TRYON	CRUYDON	/	/
5	MARK HAYDEL	54 GLEN PEAK	X	X
6	M-C Huber	9 Stream Lane	other	
7	Ken Smith	1005 GRIEB Ave	X	X
8	Wes Kozler	WEST BRISTOL		
9	Helen Criss	Bordeaux Rock RD		X
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