

## BRISTOL TOWNSHIP

2501 BATH ROAD  
BRISTOL, PA 19007

August 18, 2016

## COUNCIL MEETING

President Bowen called the meeting to order at 7:00 PM.

Roll Call:	President Bowen	Present
	Vice-President Longhitano	Present
	Mr. Allen	Present
	Mr. Antonello	Present
	Mr. Glasson	Present
	Mr. Monahan	Present
	Mrs. Murphy	Present

Also Present: William J. McCauley, III, Township Manager; Scott Swichar, Deputy Township Manager; Randall C. Flager, Township Solicitor; Edward Zanine, Deputy Township Solicitor; Kate Murphy, Township Secretary.

Council President Bowen announced that the monthly reports are available for review in the Township Manager's Office and public comment on land development and official items will be taken during the meeting. In addition, residents may offer general comments at the end of the meeting.

Council President Bowen stated matters of personnel and litigation were discussed in executive session prior to the meeting.

### **VOUCHER LIST & MINUTES**

- A. Call for a motion to approve the outstanding Voucher List and Requisitions for August 18, 2016.

*Motion by Mr. Monahan and seconded by Mr. Allen to approve the outstanding voucher list and requisitions for August 18, 2016.*

*Motion carried unanimously by a vote of 7-0.*

- B. Call for a motion to approve minutes from the Council Meeting on June 22, 2016

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*Motion by Mr. Glasson and seconded by Mr. Antonello to approve the minutes from the Council Meeting on June 22, 2016.*

*Motion carried unanimously by a vote of 7 – 0.*

**PRESENTATIONS and APPOINTMENTS**

**A. Presentation of Certificates of Commendations for exemplary recycling efforts.**

Mr. Swichar stated the final Hazardous Waste Event for the year will be on Saturday August 27th from 9am to 3pm at Harry Truman High School. This event is rain or shine.

Mr. Swichar announced that the 2016 Fall Clean-Up will be on Saturday October 22nd from 8:00am to 2:00pm. This event will be held rain or shine.

Mr. Swichar thanked the residents for their commitment to making Bristol Township a “Greener” place to live with their outstanding recycling efforts.

**B. Presentation on Progress of Bristol Township Blight Abatement Program**

Project Manager/Operations Analyst Randee Elton presented an update on the Blight Abatement Program. When the program began in 2015 there were 204 properties listed, since then 50 properties have been removed. Presently there are 195 vacant properties. The list is updated monthly from our internal code enforcement program, checking for permits (construction & resale U&O’s) and the Bucks County public access property records for sales.

On January 23, 2016 Council voted to blight ten (10) properties. The first round of compliance letters were mailed and posted in February. By the Redevelopment Authority (RDA) solicitor’s advice, more detailed compliancy letters were mailed and posted in May. We also looked at the possibility of acquiring the properties at Sheriff Sale. We have been advised the upset sale price (minimum starting bid) at Sheriff Sale is typically the owed mortgage amount; therefore, the RDA and blight/condemnation process resumed.

Demolition at 1020 Anne Street was completed on August 18, 2016 and once the utility shut off letters that are required for demolition, 843 Stella Avenue will also be demolished, both properties have been eyesores and complaints of the neighbors for years.

The property located at 5805 Fleetwing Drive was the first property that the RDA took ownership and the inspection was done on August 16, 2016 and a bid for renovation work will be advertised.

Township Manager Bill McCauley stated that this location is a middle unit townhome with neighbors on each side and for years the neighbors have been dealing with the deplorable and dilapidated conditions.

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Councilman Glasson asked if it is reasonable to assume that the action of Council to blight these properties is the cause for the progress.

Ms. Elton responded that these properties have been vacant since 2005 and that the action by Council and the Manager has brought this progress to fruition.

Vice-President Longhitano commended Ms. Elton on a job well done.

Councilman Antonello inquired about the working relationship with the RDA.

Ms. Elton stated that the relationship with the RDA has been wonderful.

President Bowen reassured residents that there are numerous safeguards followed in the process of blighting a home. The process begins with the Blight Committee then to the Planning Commission from there to Council for review and approval then given to the RDA and lastly before a judge. These safeguards are in place to protect the homeowner from a government agency unjustly taking their home.

**ORDINANCES and RESOLUTIONS**

Township Solicitor Randall Flager announced that prior to the meeting in Executive Session there were extensive talks concerning personnel matters, labor negotiations as well as contract negotiations for the Police Benevolent Association (PBA), SEIU and Crossing Guards.

**A. An Ordinance Amending the Bristol Township Zoning Ordinance, Section 205-11, By Revising the Definition of “Family” Adding Section 205-16 A.(9) By Providing for Group Home Use in the Zoning Ordinance; Adding Section 205-120 A.(64) By Establishing Parking Requirements for Group Homes; Adding Section 205-22.A.(27) to Permit Group Homes in the R-1 Residence District; Adding Section 205-36.A.(27) to Permit Group Homes in the C-Commercial District and Adding Section 205-41.A.(12) to Permit Group Homes in the CN-Neighborhood Commercial District: Consideration to Adopt.**

**THE PUBLIC HEARING WAS RE-OPENED AT 7:24 PM**

*Motion by Vice-President Longhitano and seconded by Mr. Antonello to close the public hearing.*

*Motion carried unanimously by a vote of 7 – 0.*

**THE PUBLIC HEARING WAS CLOSED AT 7:25 PM**

Mr. Flager thanked Council in particular, Vice-President Longhitano, as well as those who came out last month to testify and assist in the creation and realization of the proposed Ordinance.

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Vice-President Longhitano thanked Flager & Associates for their hard work in getting this Ordinance before Council. Council's goal was to protect the residents and especially those residents of the recovery community.

Troy Brennan inquired if this was the motion to change the current ordinance.

Mr. Flager confirmed this motion would change the ordinance if passed.

Mr. Brennan recalled his time on Council and understands the frustrations of the residents that have numerous recovery homes in their neighborhoods. He also remembers watching other municipalities pass ordinances to deter recovery homes only to have the end result be million dollar lawsuits lost by those municipalities. These lawsuits were filed against the municipalities for ordinances similar to what Bristol Township prepares to implement with tonight's vote. Mr. Brennan fears this will be a disaster for the Township.

Mr. Brennan stated that this ordinance restricts people with disabilities to living in a Commercial zoned district.

Mr. Flager stated that this ordinance does not restrict where a recovery home can be located but on the number of people in said home in a Residential District. The Ordinance allows for larger occupied homes to expand into a Commercial District. Furthermore, this ordinance encourages the recovery homes to become member of the Association of Recovery Homes to protect this vulnerable class of people.

Mr. Flager reiterated that this ordinance is not the full answer to the problem of rogue recovery homes infiltrating the Township but a step in the right direction to protect all of the Township's residents. The Township needs the help of the Commonwealth and especially that of the Federal Government.

Councilman Antonello asked Mr. Brennan if he were a resident of the Township and if he had financial interests in the numerous recovery homes in the Township.

Mr. Brennan stated he was a resident of the Township and did not have a financial interest in any recovery home.

Councilman Antonello wanted to clarify that the purpose of Mr. Brennan speaking tonight is to threaten the Township with a lawsuit and to tell Council what a bad job they have done regarding the proposed ordinance.

Vice-President Longhitano stated that Mr. Brennan is in fact not a resident of the Township. Further she stated she has gone above and beyond as well as Mr. Flager and his associates to bring this ordinance to fruition and Council does not need nor deserve Mr. Brennan's backlash.

*Motion by Vice-President Longhitano and seconded by Mr. Antonello to Approve an Ordinance Amending the Bristol Township Zoning Ordinance Section 205-11, By Revising the Definition of "Family" Adding Section 205-16 A.(9) By Providing for Group Home Use in the Zoning*

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*Ordinance; Adding Section 205-120 A.(64) By Establishing Parking Requirements for Group Homes; Adding Section 205-22.A.(27) to Permit Group Homes in the R-1 Residence District; Adding Section 205-36.A.(27) to Permit Group Homes in the C-Commercial District and Adding Section 205-41.A.(12) to Permit Group Homes in the CN-Neighborhood Commercial District.*

*Motion carried unanimously by a vote of 7 – 0.*

President Bowen thanked all for their hard work on this very sensitive issue.

Councilman. Allen stated that the input from the industry was key to the success of this ordinance.

Vice-President Longhitano agreed that working hand in hand and cohesively with the industry was paramount in the creation of the ordinance. She is sincerely thankful for their hard work in not only their input but their dedication to improving the lives of all in recovery. Finally, she requested that all Township residents reach out to the State Representatives and Congress for support and change on all levels.

Councilman Antonello echoed the sentiments of Council and the Township Solicitor. This was not an easy issue to address. The Township spent money and time in creating this ordinance and it is only the beginning as the Township needs help from the Federal level.

**B. An Ordinance to Reaffirm the Prior Enactment of Ordinance No. 91-10 Providing for the Vacation of a Portion of Williams Street and a Portion of Headley Avenue and Ordinance No. 91-28 Providing for the Vacation of a Portion of Headley Avenue between the Westerly End of Headley Avenue and Hanford Street, a Portion of Headley Avenue between Williams Street and Manning Boulevard, a Portion of Manning Boulevard from Headley Avenue to Sugden Place; and Harmer Street from Sugden Place to Headley Avenue: Consideration to Adopt.**

Mr. Flager stated that in 1991 Council passed the Ordinance however the motion was not recorded to the Clerk of Quarter Sessions Court. In order to have the ordinance recorded Council needs to reaffirm Ordinance No. 91-10 and Ordinance No. 91-28.

*Motion by Mr. Antonello and seconded by Mr. Glasson to Approve an Ordinance Reaffirming the Prior Enactment of Ordinance No. 91-10 Providing for the Vacation of a Portion of Williams Street and a Portion of Headley Avenue and Ordinance No. 91-28 Providing for the Vacation of a Portion of Headley Avenue between the Westerly End of Headley Avenue and Hanford Street, a Portion of Headley Avenue between Williams Street and Manning Boulevard, a Portion of Manning Boulevard from Headley Avenue to Sugden Place; and Harmer Street from Sugden Place to Headley Avenue*

*Motion carried unanimously by a vote of 7 – 0.*

**C. A Resolution Adopting and Submitting an Update Revision to Bristol Township’s Sewage Facilities Management Plan (Act 537) to the PA Department of Environmental Protection for Approval: Consideration to Adopt.**

Tom Beach, of Remington, Vernick and Beach, presented an overview of the ACT 537 Plan which requires every municipality to develop and maintain an up-to-date sewage facilities plan which covers various areas of the Township. The plan addresses current and future wastewater planning needs of the Township’s Wastewater Treatment Plant (WWTP) and the Neshaminy Interceptor owned by Bucks County Water and Sewer Authority (BCWSA). These are requirements set by the Department of Environmental Protection (DEP) for all municipalities.

*Motion by Mr. Monahan and seconded by Vice-President Longhitano to Approve a Resolution Adopting and Submitting an Update Revision to Bristol Township’s Sewage Facilities Management Plan (Act 537) to the PA Department of Environmental Protection for Approval.*

*Motion carried unanimously by a vote of 7 – 0.*

**D. A Resolution Adopting and Submitting an Update Revision to Bristol Township’s Sewage Facilities Management Plan (Act 537) for the Neshaminy Interceptor to the PA Department of Environmental Protection for Approval: Consideration to Adopt.**

Mr. Beach, presented an overview of the Neshaminy Interceptor Plan. This plan addresses the reduction in Inflow & Infiltration (I/I) as well as the improvement of existing sewer system to accommodate current needs and future growth. The goal is to provide BCWSA with how much flow is projected to come from Bristol Township and to determine if improvements to the Neshaminy Interceptor are necessary to accommodate the growth.

Vice-President Longhitano asked if these plans address all the concerns of the Department of Environmental Protection (DEP).

Mr. Beach confirmed that the revised plans should address all those concerns. Further he stated that this is the planning document phase which will be submitted to the DEP and that there are other issues to be addressed with the Consent Decree.

Vice-President Longhitano requested as the Sewer Liaison to receive copies of all correspondences with the agencies and engineers.

*Motion by Mr. Glasson and seconded by Mr. Allen to Approve a Resolution Adopting and Submitting an Update Revision to Bristol Township’s Sewage Facilities Management Plan (Act 537) for the Neshaminy Interceptor to the PA Department of Environmental Protection for Approval.*

*Motion carried unanimously by a vote of 7 – 0.*

**E. A Resolution of the Township of Bristol Authorizing the Sale of Surplus Equipment: Consideration to Adopt.**

Mr. Swichar stated that the Township two vehicles and a diesel generator to be placed on Municibid.

*Motion by Mrs. Murphy and seconded by Mr. Allen to Approve a Resolution for the Sale of Surplus Equipment.*

*Motion carried unanimously by a vote of 7 – 0.*

**REPORT FROM TOWNSHIP MANAGER**

Township Manager McCauley stated that the Township will host a Fall Festival on Saturday September 24, 2016 from 11:00 am to 4:00 pm. This event will replace Community and Harvest Festival respectively. Please save the date and more details will follow.

The Township's labor attorneys Patrick Harvey and John McLaughlin are leaving Ballard Spahr to join Campbell, Durrant, Beatty, Palombo, & Miller, P.C. We are in receipt of a request to transfer the Township's files to Campbell, Durrant, Beatty, Palombo, & Miller, P.C.

Mr. McCauley requested that Council authorize him to sign and submit the transfer request form.

*Motion by Vice-President Longhitano and seconded by Mr. Monahan Authorizing the Transfer of Files to Campbell, Durrant, Beatty, Palombo, & Miller, P.C.*

*Motion carried unanimously by a vote of 7 – 0.*

**REPORT FROM TOWNSHIP SOLICITOR**

Mr. Flager wished everyone a happy Labor Day Holiday and that he will see everyone in October.

**NEW BUSINESS**

**A. Bristol Township Annual Financial Report for the Year Ended December 31, 2015: Consideration to take Appropriate Action.**

McCauley stated that Council is in receipt of the 2015 Annual Financial Report. The Township had an excellent year in 2015. The Department Heads did a great job managing their budgets. The General Fund exceeded revenues by \$1.6 million and expenditures came in \$1.1 million under budget. But for the sins of the past and the lucrative benefits and packages that were

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administered 30-40 years ago the Township would be made in the shade. Our representatives in Harrisburg don't seem to be too concerned with the pending pension and Other Post-Employment Benefits (OPEB) crisis, so perhaps the administration should not either.

The Township continues to improve its financial situation, but for not the unfunded liabilities looming overhead, we would be going to Moody's and Wall Street making an application for a bond rating upgrade.

Council action is in order to receive the 2015 Annual Financial Audit and make it available to the public for inspection.

*Motion by Mrs. Murphy and seconded by Mr. Antonello to Accept Bristol Township Annual Financial Report for the Year Ended December 31, 2015 and to make the audit available for public inspection.*

*Motion carried unanimously by a vote of 7 – 0.*

**B. Indemnification Agreement between the Bristol Township School District and the Township of Bristol in Regard to the Operation of the Three Newly Constructed Schools at Tax Map Parcels 05-053-051, 05-071-472 and 05-037-569: Consideration to take Appropriate Action.**

Mr. Flager thanked the school district for meeting to come to a mutual agreement concerning the "just in case" scenario if anything were to occur since the new schools have only obtained a Temporary Occupancy Permit at this time. The proposed Indemnification Agreement holds the Township harmless.

*Motion by Mr. Glasson and seconded by Mr. Monahan to Approve the Indemnification Agreement between the Bristol Township School District and the Township of Bristol in Regard to the Operation of the Three Newly Constructed Schools at Tax Map Parcels 05-053-051, 05-071-472 and 05-037-569.*

*Motion carried unanimously by a vote of 7 – 0.*

**C. 2017 Financial Requirement and Minimum Municipal Obligation for Bristol Township Police Pension Plan: Consideration to take Appropriate Action.**

McCauley stated that it is the recommendation of the administration that Council approve the Minimal Municipal Obligation based on market value of assets for 2017 in the amount of \$1,511,398.

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*Motion by Mr. Glasson and seconded by Vice-President Longhitano to Approve the Minimum Municipal Obligation for the Police Pension Plan in 2017 in the amount of \$1,511,398.*

*Motion carried unanimously by a vote of 7 – 0.*

**COMMENTS FROM COUNCIL MEMBERS**

Councilman Allen, as the school board liaison, stated a new roof is needed for Truman High School and that the permit fee is approximately \$45,000. Mr. Allen understands that other municipalities charge minimal fees for permits and would like a permanent resolution to assist in those costs essentially to minimize the cost to the taxpayers.

Councilwoman Murphy asked if Mr. Allen had checked with surrounding townships.

Councilman Antonello stated via a newspaper article that Falls Township has extended a significant discount for the work to be completed at Pennwood.

Vice-President Longhitano inquired about the reduction given to churches and other entities.

Mr. McCauley stated that the Council has a policy for non-profits to waive up to fifty percent but only on building permits. Further for the record Bensalem, Middletown and Falls Township charge for roof permits. The Council's policy is for a waiver for the building permit, not electrical, plumbing or roofing.

McCauley questioned the wisdom of waiving \$45,000 in roofing permits after reviewing the audit earlier this evening and the Township is looking at \$84 to \$85 million in unfunded liabilities. It would be better served to take the \$45,000 permit fee and create an OPEB reserve fund.

Councilwoman Murphy asked Mr. Allen if there has been any movement on the part of the school district regarding the over \$200,000 in permit fee waiver offered by the Township.

Councilman Antonello explained that previous Council passed a resolution waiving over \$200,000 in permit fees for the construction of the three new schools on the condition that the school board televises their meetings. At the end of the day the Council has done some good things, bragging about working the budget and well aware of the unfunded liability that Council is not going to really address in any significant manner that is going to make a dent and that is a reality. The other reality is that if this Council charges the full rate to complete the roof, knowing that the school board is in extremely financial dire straits, the school board will raise taxes. This Township and Council are in a position to offer a helping hand to an entity that clearly is in need and not further burden the taxpayer with a creation of a reserve fund.

Councilwoman Murphy stated the school board never asked the taxpayer. The Township is maintaining financial stability.

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President Bowen inquired about the cost of the new roof. The cost of the new school roof is \$8 million. With that being the case would the \$45,000 waiver make a difference.

Councilman Allen stated that question cuts both ways. If it makes a difference to the Township how does it not make a difference to the school board.

President Bowen stated the issue needs to be looked at in depth.

Mr. McCauley stated that it is difficult to recruit economic development when we have the highest real estate tax rate in Bucks County and the School District automatically raises their rate each and every year. Why should we give them an additional \$45,000?

Troy Brennan reiterated an earlier comment that Council would be harming the taxpayers by not waiving the permit fee but when the school board implemented a project labor agreement they did not care about the taxpayers which resulted in costing taxpayers an additional \$20 million in construction costs.

*Motion by Mr. Antonello and seconded by Mr. Glasson to direct the Township Manager to submit a cost analysis of the permit fees for the schools.*

*Motion carried unanimously by a vote of 7 – 0.*

President Bowen announced on August 20<sup>th</sup> the Senior Center will host a car show from 9 am to 12 pm.

Faith Reform Church at 4112 Stonybrook Drive will host a Hot Rod show from 9 am to 3 pm on Saturday September 24<sup>th</sup>.

Fall Festival will be held September 24<sup>th</sup> at the Municipal Building. President Bowen will be serving Rita's Water Ice for donations to the fire house.

Mr. Antonello announced Pennsylvania's 10<sup>th</sup> Annual War Dog Memorial will be held at the Municipal Building on Friday September 16<sup>th</sup> at 6:00 pm. Additional ceremonies will take place afterwards at the Delaware Valley Vietnam Veterans headquarters.

### **OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL**

West Rexler, West Bristol, stated that on Route 413 and Western motorists are improperly entering the intersection as well as blocking the intersection.

Ken Smith, Edgely, inquired if the Township was informed when a streetlight went dark. He stated that the light on Randall Avenue has been out for quite some time.

McCauley stated that StarSense informs the Township on a daily basis of outages and unfortunately we are at the mercy of PECO when a light goes dark due to an electrical issue.

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*Motion by President Bowen and seconded by the entire Council to adjourn the meeting.*

*Motion carried unanimously by a vote of 7-0.*

*The meeting was adjourned at 8:46 pm.*

RECAP OF AUGUST 18, 2016 TOWNSHIP COUNCIL MEETING

1. Approved the outstanding Voucher List and Requisitions from July 26, 2016.
2. Approved the June 22, 2016 Council Meeting Minutes.
3. Presented Monthly Awards for Exemplary Recycling Performance.
4. Heard a Presentation on Progress of the Bristol Township Blight Abatement Program.
5. Approved a Motion to close the Public Hearing from July 26, 2016 meeting concerning amending the Bristol Township Zoning Ordinance at 7:25 pm. Authorized its avail
6. Approved Ordinance 2016-3 Amending the Bristol Township Zoning Ordinance, Section 205-11, By Revising the Definition of “Family” Adding Section 205-16 A.(9) By Providing for Group Home Use in the Zoning Ordinance; Adding Section 205-120 A.(64) By Establishing Parking Requirements for Group Homes; Adding Section 205-22.A.(27) to Permit Group Homes in the R-1 Residence District; Adding Section 205-36.A.(27) to Permit Group Homes in the C-Commercial District and Adding Section 205-41.A.(12) to Permit Group Homes in the CN-Neighborhood Commercial District.
7. Approved Ordinance 2016-4 Reaffirming the Prior Enactment of Ordinance No. 91-10 Providing for the Vacation of a Portion of Williams Street and a Portion of Headley Avenue and Ordinance No. 91-28 Providing for the Vacation of a Portion of Headley Avenue between the Westerly End of Headley Avenue and Hanford Street, a Portion of Headley Avenue between Williams Street and Manning Boulevard, a Portion of Manning Boulevard from Headley Avenue to Sugden Place; and Harmer Street from Sugden Place to Headley Avenue.
8. Approved Resolution 2016-42 Adopting and Submitting an Update Revision to Bristol Township’s Sewage Facilities Management Plan (Act 537) to the PA Department of Environmental Protection for Approval.
9. Approved Resolution 2016-43 Adopting and Submitting an Update Revision to Bristol Township’s Sewage Facilities Management Plan (Act 537) for the Neshaminy Interceptor to the PA Department of Environmental Protection for Approval.
10. Approved Resolution 2016-44 Authorizing the Sale of Surplus Equipment.
11. Accepted the Annual Financial Report for the Year Ended December 31, 2015 and authorized its availability for Public Inspection
12. Approved the Indemnification Agreement between the Bristol Township School District and the Township of Bristol in Regard to the Operation of the Three Newly Constructed Schools at Tax Map Parcels 05-053-051, 05-071-472 and 05-037- 569.

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13. Approved the 2017 Financial Requirement and Minimum Municipal Obligation for the Police Pension Plan in the amount of \$1,511,398.
14. Approved a Motion Requesting the Township Manager to Submit a Cost Analysis Report to Council regarding permit fees for the School District.

Meeting Adjourned at 8:46 pm.