

# BRISTOL TOWNSHIP

2501 BATH ROAD  
BRISTOL, PA 19007

February 21, 2018

## COUNCIL MEETING

President Bowen called the meeting to order at 7:06 PM.

Roll Call:	President Bowen	Present
	Vice-President Murphy	Present
	Mr. Antonello	Present
	Mr. Blalock	Present
	Mr. Glasson	Present
	Mr. Monahan	Present
	Mrs. Wagner	Present

Also, Present: Scott Swichar, Deputy Township Manager; Randee J. Elton, Project Manager; Randall Flager, Township Solicitor; Edward Zanine, Deputy Township Solicitor; Kate Murphy, Township Secretary.

Township Solicitor Randall Flager announced that personnel and contract negotiations issues were discussed in Executive Session prior to the meeting.

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.

### VOUCHER LIST & MINUTES

A. Call for a motion to approve the outstanding Voucher List and Requisitions for February 21, 2018

*Motion by Mr. Antonello and seconded by Mr. Monahan to approve the outstanding voucher list and requisitions for February 21, 2018.*

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

B. Call for a motion to approve the minutes from the Council Meeting of January 16, 2018.

*Motion by Mrs. Wagner and seconded by Mr. Glasson to approve the minutes from the Council Meeting January 16, 2018.*

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

## **PRESENTATIONS AND APPOINTMENTS**

### **A. Presentations and Monthly Awards for Exemplary Recycling Performance.**

Project Manager, Randee Elton announced the Township will host the annual Spring Clean-Up on Saturday April 28 and Saturday May 5 from 8:00 am to 12:00 pm. Residents, with proof of residency, can dispose of their unwanted household junk and electronics free of charge.

Residents requesting more information more information can contact 267-812-2950.

President Bowen presented a \$50 Gift Certificate to the Cardi Family of Levittown and the Smith Family of Green Lawn Park for their exemplary recycling efforts.

### **B. Presentations by Michael Woglemuth of Inframark.**

Michael Woglemuth, Regional Manager, introduced Inframark as the new plant operator for the Waste Water Treatment Plant (WWTP) effective midnight on January 1, 2018. This past summer, the company was sold by Severn Trent allowing Inframark to rebrand and create the following mission statement: "To Be the Partner and Protector of the Most Critical Resource that Helps Communities Prosper." Inframark sees their company as a partner not a contractor, and they are focused on pure alignment, pure accessibility and pure accountability. Their staff consists of six (6) full-time positions and they are looking to hire a lead operator. January brought extremely cold temperatures making the transition difficult with numerous calls for frozen pipes. The crew became acclimated to the treatment process and familiar with the plant equipment, began cleaning and organizing the interior of the main building, brought new personnel onboard, and troubleshooted process and equipment issues, provided oversight of repairs to the Atkins pump station, developed preventive maintenance ~~plans~~plans, and placed a temporary work order system in place for maintenance tasks.

Looking forward, operations will go live using a computerized maintenance management system (CMMS) and an on-line data management system (DMS) enabling progress to be tracked and monthly reports generated for the Township. Inframark will work closely with the Township to automate the WWTP and to procure a Supervisory Control and Data Acquisition (SCADA) system to ensure better treatment. They will also address the colloidal solids in the effluent and the strength of waste and carbon levels in the water (CBOD 20) violations.

Deputy Township Manager, Scott Swichar, stated that Inframark came in on January 1, 2018 and hit the ground running.

### **C. Presentation from Feldman & Pinto: Opioid Litigation.**

Township Solicitor, Randall Flager, stated that the Township has been hit hard by the Opioid epidemic. The Township has the most recovery homes in Bucks County and that Council has gone to extraordinary lengths to pass a new ordinance to regulate recovery homes while protecting the rights of those in recovery. It is the Township's belief that the drug companies overly promoted opiate drugs and ~~are responsible~~are responsible for increasing addiction. Further it is the strong recommendation of Flager & Associates to hire the law firm of Feldman & Pinto to litigate against Big Pharma on behalf of Bristol Township for the millions of dollars of damages the Township has sustained due to this epidemic.

Rosemary Pinto, of Feldman & Pinto, explained that their firm has partnered with Skikos Law Firm based in California. Skikos Law Firm has been named Co-Counsel in the Federal Multi-District Litigation where many of these lawsuits have been consolidated. Bristol Township deserves a seat at the table and as an individual plaintiff the Township will be able to recover damages that have accumulated over the past couple of decades and damages moving forward. Equally important to recovering damages, these lawsuits are designed to stop the problem of over promoting and over prescribing these drugs. This is a mass tort lawsuit.

Mr. Flager is requesting a motion Authorizing, Approving and Directing the Employment of Certain Law Firms to Represent Bristol Township in Potential Litigation Against Contributors of Opioid Addiction Crisis.

Larry Mascia, Crabtree Drive, asked if the Township was paying all the filing fees.

Mr. Flager responded that all fees are paid by their law firm and upon success the Township will reimburse the firm dollar for dollar.

West Rexler, Western Avenue, inquired how a resolution can be passed that is not numbered.

Mr. Flager stated that is an administrative duty that will be assigned once the motion is passed, it has no bearing on the legality of the resolution.

*Motion by Mr. Monahan and seconded by Mr. Glasson Authorizing, Approving and Directing the Employment of Certain Law Firms to Represent Bristol Township in Potential Litigation Against Contributors of Opioid Addiction Crisis.*

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

**D. Appointment of Alternate Civil Service Commission.**

*Motion by Mr. Glasson and seconded by Mr. Blalock to Appoint Robert Wagner, III as the Alternate Member to the Civil Service Commission.*

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

**ORDINANCES AND RESOLUTIONS**

- A. A Resolution Adopting and Submitting an Update Revision to Bristol Township's Sewage Facilities Management Plan (ACT 537) to the Pennsylvania Department of Environmental Protection Agency: Consideration to Adopt.

Mr. Swichar stated the Township is submitting an updated revision to the Sewage Facilities Management Plan (ACT 537) as required by law.

*Motion by Vice President Murphy and seconded by Mr. Antonello 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.*

**REPORT FROM TOWNSHIP MANAGER**

Mr. Swichar stated Council is in receipt of a proposal from Boyle Construction for two (2) projects. Proposal for Construction Management Services for Cedar Avenue Park totaling \$45,600 and a Proposal for Construction Management Services for the Municipal Complex Recreation Expansion totaling \$250,000.

Council action is in order to accept the proposals.

*Motion by Vice President Murphy and seconded by Mr. Glasson to accept the Proposals from Boyle Construction for Construction Management Services for Cedar Avenue Park totaling \$45,600 and for Construction Management Services for the Municipal Complex Recreation Expansion totaling \$250,000.*

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

**REPORT FROM TOWNSHIP SOLICITOR**

Mr. Flager advised Council that a settlement stipulation has been reached on an on-going case between the Bristol Township Sewer Authority and a Township business. The business will receive a \$24,500 credit for their sewer rental that had been overcharged and upon receipt of the settlement the Township will receive \$40,000 currently held in escrow from the judgement against the Township.

*Motion by Mr. Monahan and seconded by Mr. Glasson to Enter into the Settlement Stipulation with WSTD, Inc. t/a STD Associates, L.P. and Bristol Township Sewer Authority No. 2015-07238.*

Mr. Antonello inquired if the billing issue that caused this problem has been rectified.

Mr. Flager stated yes and upon receipt of this stipulation today February 21, 2018 that Council act quickly as a new billing cycle begins in March.

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

Mr. Flager announced that his son's family welcomed a healthy and happy baby boy to the Flager family.

**NEW BUSINESS**

- A. Application of Greek Properties for Preliminary Land Development Approval for Properties located at 43 & 45 Runway Road, Levittown (Tax Maps 5-70-131-001 & 5-70-131-002) to construct Building Additions in a P-1 Planned Industrial Zoned District; Consideration to take Appropriate Action.

Frank Dillon, on behalf of the applicant and owner F. Greek Properties. The existing lots (Lot 7B & 7C) consist of 7.60 and 12.27 acres located in the P-1 Planned Industrial zoning district.

These lots were created by an approved amended subdivision known as Bristol Industrial Park Lot 7B, (T.M.P #05-070-131-001) located at 43 Runway Road. Lot 7C, is (T.M.P #05-070-131-002) located at 45 Runway Road. Wholesale Business, Wholesale Storage & Warehousing is permitted within a P-1 Planned Industrial zoning district.

The Applicant proposes to increase the building size on Lot 7B by 24,000 square feet and Lot 7C by 57,600 square feet. The proposed building additions are on existing impervious surface, and landscaping is proposed which will decrease the overall impervious of the site. The existing stormwater facilities on-site were designed to handle the proposed additions; however, the applicant is proposing bio-swales and rain gardens at the request of the Bucks County Conservation District that will improve the existing stormwater management infrastructure.

Mr. Flager inquired about the two (2) changes to the application which include Preliminary and Final Land Development and the moving of Section C3: Subdivision and Land Development Ordinance to Section B2: Waivers Requested if the applicant is prepared to agree to the terms set forth in the agreement.

Mr. Dillon stated yes.

*Motion by [Vice President Murphy](#) and seconded by [Mr. Antonello](#) to Approve the Application of F. Greek Properties for Preliminary and Final Land Development Approval for Properties located at 43 & 45 Runway Road, Levittown (Tax Maps 5-70-131-001 & 5-70-131-002) to Construct Building Additions in a P-1 Planned Industrial Zoned District.*

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

- B. Application of Kevin Hodges, 1 Sunset Lane, Levittown Requesting Preliminary & Final Subdivision Approval Property located at 6215 Airport Road, Levittown (Tax Parcel #5-73-73) in a M-2 Heavy Manufacturing Zoned District of Bristol Township: Consideration to take Appropriate Action.

Heath Dumack, the applicants Engineer, the applicant has submitted a subdivision application for the property located at 6215 Airport Road (T.M.P # 05-073-073) within the M-2 Heavy Manufacturing Zone district and consists of 58,127 square feet. The lot has frontages along the northern side of Airport Road, the western side of Hanford Street and the eastern side of Hardy Street.

The subdivision will divide the property into two (2) lots with Lot #1 contain 11,250 square feet and Lot #2 will contain 46,877 square feet. A separate permit will need to be obtained to construct any future improvements.

Mr. Flager asked if the applicant had received the resolution and if so if the resolution was acceptable

Mr. Dumack stated the applicant is requesting a waiver of fees for curbs and sidewalks which currently do not exist at the property. As an alternate the applicant would provide street trees or trees behind the building on the property.

Vice President Murphy asked if the utility issues have been resolved by the businesses before approving the subdivision.

Mr. Dumack stated yes.

Mr. Dumack stated the applicant is in receipt of the review by Gilmore & Associates and this is a will comply.

*Motion by Vice President Murphy and seconded by Mr. Antonello to Approve Preliminary & Final Subdivision Approval Property located at 6215 Airport Road, Levittown (Tax Parcel #5-73-73) in an M-2 Heavy Manufacturing Zoned District of Bristol Township.*

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

- D. Bids for Mill Creek Pedestrian Bridge Project: Consideration to take Appropriate Action.

Township Engineer, Kurt Schroeder, stated that this was the second time this project went out to bid. As Council is aware the previous bids came in higher than expected which resulted in Gilmore & Associates restructuring the bid to have Public Works construct the abutments. It is the recommendation of Gilmore & Associates to award the Mill Creek Pedestrian Bridge Project to the low bidder, ABC Construction, in the amount of \$217,014.78.

*Motion by Mrs. Wagner and seconded by Mr. Glasson to Award the Mill Creek Pedestrian Bridge Project to the low bidder, ABC Construction, in the amount of \$217,014.78.*

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

- E. Bids for Wistar Road Bridge Deck Replacement: Consideration to take Appropriate Action.

Mr. Schroeder stated this is another large and problematic project for the Township. The deck is deteriorating at a fast pace and it is the hope of the Township to receive state funding so the project can move forward.

It is the recommendation of Gilmore & Associates to reject the two (2) bids received for the Wistar Road Bridge Deck Replacement Project.

*Motion by Mr. Antonello and seconded by Mr. Glasson to reject the two (2) bids received for the Wistar Road Bridge Deck Replacement Project.*

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

### **COMMENTS FROM COUNCIL MEMBERS**

Mr. Glasson commended the job performed by the police department for assisting with crowd control after the Eagles Super Bowl win celebration.

Mr. Antonello commended the Pennsylvania Supreme Court for their new redistricting map.

President Bowen addressed the issue of possible fracking concerns for The Delaware River. Council will research the issue and keep the residents posted.

**OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL**

President Bowen stated that if any resident comes before Council and throws accusations of wrong-doing as was done at the January meeting he will end the meeting at that moment. The entire Council works very hard for the Township and he will not tolerate their names being defamed.

John McClay, of Newportville, inquired about potholes on New Falls Road.

West Rexler, 504 Western Ave, spoke of issues not pertaining to [T](#)township business and various [conspiracy](#) theories regarding the Township.

*The meeting was adjourned at 8:21 pm.*

Respectfully Submitted,

Kate Murphy  
Township Secretary

## **RECAP FEBRUARY 21, 2018 COUNCIL MEETING**

1. Approved Voucher List and Requisitions from February 21, 2018.
2. Approved the January 18, 2018 Council Meeting Minutes.
3. Presented Monthly Awards for Exemplary Recycling Performances.
4. Presentation by Michael Woglemuth of Inframark.
5. Presentation from Feldman & Pinto.
6. Approved Resolution 2018-19 Authorizing, Approving and Directing the Employment of Certain Law Firms to Represent Bristol Township in Potential Litigation Against Contributors of Opioid Addiction Crisis.
7. Appointment of Alternate to Civil Service Commission.
8. Approved Resolution 2018-18 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 Proposals from Boyle Construction for Construction Management Services for Cedar Avenue Park totaling \$45,600 and a Proposal for Construction Management Services for the Municipal Complex Recreation Expansion totaling \$250,000.
10. Approved to Enter into a Settlement Stipulation with WSTD, Inc. t/a STD Associates, L.P. and Bristol Township Sewer Authority No. 2015-07238.
11. Approved Resolution 2018-20 Accepting the Application of F. Greek Properties for Preliminary and Final Land Development Approval for Properties located at 43 & 45 Runway Road, Levittown (Tax Maps 5-70-131-001 & 5-70-131-002) to Construct Building Additions in a P-1 Planned Industrial Zoned District.
12. Approved Resolution 2018-21 for Preliminary & Final Subdivision Approval Property located at 6215 Airport Road, Levittown (Tax Parcel #5-73-73) in an M-2 Heavy Manufacturing Zoned District of Bristol Township.
13. Awarded the Mill Creek Pedestrian Bridge Project to the low bidder, ABC Construction, in the amount of \$217,014.78.
14. Rejected all bids for the Wistar Road Bridge Deck Replacement Project.

Meeting was adjourned at 8:21 pm.

