

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

**JULY 15, 2010
COUNCIL MEETING**

President Pluta called the meeting to order at 7:14 P.M.

EXECUTIVE SESSION: Personnel and Litigation were discussed.

Roll Call:	Councilman Tucker	Present
	Councilman Lewis	Present
	Councilwoman Lewis	Present
	Vice President Davis	Absent
	President Pluta	Present

EXECUTIVE REPORT:

Mayor Monahan put up for vote an appointment for Labor Attorney Stark and Stark.

Motion by Councilwoman Tarlini to appoint Stark and Stark as Labor Attorney. Second by Councilman Lewis.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

Mayor Monahan put up for vote an appointment to hire Remington, Vernick & Beach Engineers as the Community Development Engineer.

Motion by Councilman Lewis to appoint Remington, Vernick & Beach Engineers as the Community Development Engineers. Second by Councilman Tucker.

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

Mayor Monahan put the name of Richard Heierling for Bristol Township Redevelopment Authority Board.

Motion by Councilwoman Tarlini to appoint Richard Hireling to the Bristol Township Redevelopment Authority Board. Second by Councilman Tucker.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

Mayor Monahan put the name of Ken Worthington to the Bristol Township Redevelopment Authority Board.

Motion by Councilman Tucker to appoint Ken Worthington to the Bristol Township Redevelopment Authority Board. Second by Councilman Lewis.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	No

Motion approved 3-1

Mayor Monahan commented on an article in the paper he stated that the Township receives a lot of complaints that includes complaints that are not the Townships responsibility. Two

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

years ago there was a complaint from a woman who lives in Winder Village about the property located behind her. Bristol Township Public Works, Bristol Township School District and the County cleaned up the area. The article stated in the paper that nothing was done. It was cleaned up but it was not the responsibility of the Township. Mayor Monahan stated that he will try help to get the property cleaned up, but it is not the Townships Property.

Motion by Councilwoman Tarlini to approve the outstanding voucher list and requisitions for June 2010. Second by Councilman Tucker.

Mr. Obert of Farmbrook questioned if the voucher list was posted in the Township. Mr. Bartlett stated the requisitions were put on the Tax Office Counter and the Agenda was hung by the hallway. Mr. Obert stated he requested to have better descriptions on the bill run because he does not know what the money is being spent on. Councilwoman Tarlini stated every Wednesday prior to the meetings that she and Vice President Davis go through every bill that has already been reviewed by four other people. Mr. Bartlett stated they are working on changing the format to be able to put a full description for the bills.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

Motion by Councilman Tucker to approve the minutes for the June 3, 2010 Council Meeting. Second by Councilwoman Tarlini.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

REPORT FROM MANAGING DIRECTOR:

Mr. Bartlett stated that when Bucks County cancels the their mosquito spraying due to the weather, the Township is not notified until a couple of hours before they are going to spray. The Township does put it on the website and the TV as soon as they get notification. The Lobby renovation is moving along well. When the Lobby is complete the Auditorium will be the next Grant Project.

There will be an Auction on July 24, 2010 for retired equipment and vehicles. The full list will be posted on the website and advertised in the paper.

Parks and Greenbelts are open to the Public and can be used for gatherings. A written request is required to hold gatherings, if it is a formal gathering at the park they are required to submit a one million dollar insurance rider to indemnify the Township in the case someone would get hurt. For the Greenbelt to hold a one day event you must get authorization from the Managing Director, but the Township will still request an insurance rider and a written request.

Motion by Councilman Lewis to authorize the Manager to formalize a plan and guidelines for Public events for the Parks and Green Belts. Second by Councilwoman Tarlini.

President Pluta questioned if Mr. Bartlett will form an outline page of guidelines to be given to the public. Mr. Bartlett stated he will put one together and post it on the website. Paul Hampel from the Edgely Section stated the question came up if Mike Fitzpatrick was required to have permission and insurance for his Political event.

Mr. Obert stated he feels that a formal ordinance should be required, not to allow the Manager to have the final say on the use of the Parks and Greenbelts. Mr. Obert stated that the picnics held for Mr. Fitzpatrick were being held by the residents of the Township.

Mr. Sacco stated that the Manager is requesting to set up a procedure for organized gatherings on Township property so he will have it in writing that insurance is requested before using the property, and he is going to oversee the procedure.

Joe Toughill of Croydon stated that the Manager declined access to the League of Woman Voters from a meeting in the Township. Mr. Bartlett stated that he is looking out for the Township's liability not to decline access to the Township. President Pluta stated that Council did approve access to the League of Woman Voters.

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

Wayne Turner of Croydon questioned if you wanted to have a protest outside the building would you be required to have insurance. President Pluta stated if you are going to organize an event you would need insurance to insure the Township is covered by insurance if someone was to get hurt. Mr. Sacco stated that the idea is to come up with set rules and regulations that would be equally applied to everyone.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

LAND DEVELOPMENT:

The Preliminary/Final Plan Overall Record Plan for Bridge Business Center prepared by Gilmore an Associates, Inc., dated April 25, 2007, last revised per J.G. Park Associates, Inc.'s letter dated 11/7/2007, is Reaffirmed with the addition of the following General Note 16- Reference is made to the condominium plan Titled Declaration Plat B-1 prepared by Gilmore and Associates, Inc., dated February 20, 2008, last revised April 20, 2010.

Tom Profy spoke on behalf of the applicant to request to add additional language to be inserted into an amended Land Development Agreement Letter. Mr. Sacco stated that this project was approved in August 2007 and recorded and there is a need to amend the approval letter so it must come before Council since they formally approved the project. It is going to a Condominium Development.

Motion by Councilman Lewis to amend the approval letter for Bridge Business Center to add additional language to reference the condominium. Second by Councilwoman Tarlini.

Mr. Obert stated that the Agenda was revised on 7/12/2010 and questioned if there should be five days notice of advertizing for the Agenda. Mr. Sacco stated he does not think that is correct.

Mr. Turner questioned if the condominiums were houses. Mr. Profy stated the project was approved back in 2007 but did not show it was a condominium so the title company requested that the land owner come before Council and have it noted that Council acknowledges that it is a condominium for industrial use.

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

LAND DEVELOPMENT:

Rite Aid Corporation, 877 Kings Highway, suite #100, West Deptford, NJ requesting Preliminary & Final Land Development approval for property located at 6912 New Falls Road, Levittown (Tax Parcel 05-034-132) in order to construct a Rite Aid in a C-Commercial zoned district of Bristol Township.

Beth Bronavich was representing T & M Associates.

Tom Hecker, Attorney representing Rite Aid, stated that the proposal of the demolition the existing Rite Aid and existing stores and in its place construct a brand new Rite Aid about 16,000 sq. ft. Ret Japoldi gave a presentation on the proposed building showing the location lighting and parking. President Pluta stated there were concerns with the trees obstructing the view on New Falls Road. Mr. Japoldi stated that the trees are back far enough from the entry.

Motion by Councilman Lewis to approve the Preliminary & Final Land Development for property located at 6912 New Falls Road, Levittown (Tax Parcel 05-034-132) to include the previous waivers. Second by Councilwoman Tarlini.

Mr. Obert stated he noticed the buffers for the sidewalk and feels they should install speed bumps to prevent the potential safety issues with cars cutting through.

Mr. Retzler questioned if they were going to put in the sidewalks. Mr. Hecker stated that the sidewalks on the plan will be installed.

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Not present for roll call vote.
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 3-0

CONDITIONAL USE Tabled – Council Meeting 6/17/10:

DoLittle Corporation, 301 State Road, Croydon, requesting Conditional Use approval in order to erect a billboard on Nebraska Avenue, Levittown (tax Parcel 05-020-001-009) in an M-1 Light Manufacturing zoned district of Bristol Township.

Joseph & Phyllis DiEgidio, 301 State Road, Croydon, requesting Conditional Use approval in order to erect a billboard at 3501 New Falls Road, Levittown (Tax Parcel 05-016-017) in an M-1 Light Manufacturing zoned district of Bristol Township

DoLittle Corporation, 301 State Road, Croydon, requesting Conditional Use approval in order to erect a billboard at 3930 Nebraska Avenue, Levittown (Tax Parcel 05-020-001-007) in an M-1 Light Manufacturing zoned district of Bristol Township

Christopher Stewart representing DoLittle Corporation stated they are looking of Conditional Use approval for three billboards on three Tax Parcels. Each sign will be on a 14 X 48 concrete foundation and illuminated. Mr. Stewart gave a Power Point Presentation showing where the billboards will be located. The signs will not have any effect on the neighborhood surrounding areas.

Councilwoman Tarlini stated she received an email from the Newportville Civic Association they concerned about the trees being removed at 3501 New Falls Road Parcel 05-016-017, and that she would like that no trees will be removed a part of the agreement. Mr. Lewis questioned if Mr. DiEgidio if he has any outstanding debt to the Township. Mr. Bartlett stated that there was an outstanding balance on an escrow that has been satisfied and there is an outstanding sewer bill that will be satisfied before the plan is submitted for final signatures.

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

Motion by Councilwoman Tarlini to approve erecting all three billboards, with the conditions, located on Tax Parcel 05-020-001-009, Tax Parcel 05-016-017 and Tax Parcel 05-020-001-007, with the agreement of not removing trees and the billboards will not be digital. Second by Councilman Lewis.

Mr. Ken Smith state he was told that the billboards were going to be put in a water management area. Mr. Stewart stated it would not be a problem.

President Pluta questioned the dimension from the sewer easement. Mr. Stewart stated that it shows the center line at fifty feet, he believes that the plan is showing the pylon that will be 50 feet in the air.

Mr. Obert questioned if the billboards are in any way tied to the Turnpike or construction zone. He was told no.

Mrs. Anne Vesce questioned if the billboards are going to be digital. Mr. Stewart stated that they will not be digital.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

COUNCIL ITEMS:

Motion by Councilman Lewis to approve Invoice No. 603 from Musser Sewer and Septic, LLC in the amount of \$17,847.56 for work preformed under Contract No. 2008-14, Sanitary Sewer as requested by Bursich Associates, Inc. Second by Councilwoman Tarlini.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

Motion by Councilman Tucker to approve payment for the project management of the Newportville/Fergusonville Lighting Project to the Redevelopment Authority of the County of Bucks in the amount of \$36,484.00. Second by Councilwoman Tarlini.

Councilwoman Tarlini questioned if the old lights are going to be taken out. Mr. Bartlett said they are working on it, but there are certain areas where the new lights may not be enough.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

Motion by Councilwoman Tarlini to approve Progress Payment Release Number 5 Contract Newportville/Fergusonville Lighting Project in the amount of \$1,312.20 as requested by the Redevelopment Authority of the County of Bucks. Second by Councilman Lewis.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

Motion by Councilman Lewis to approve Final Payment Release for Contract Newportville/Fergusonville Lighting Project in the amount of \$46,351.60 as requested by the Redevelopment Authority of the County of Bucks. Second by Councilwoman Tarlini.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

Mr. Sacco stated an Ordinance is required extending the Charter of the Lower Bucks County Joint Municipal Authority. They are currently negotiating a contract for water supply that will exceed the term of their existence the year 2020. They are requesting an ordinance from Council extending the charter. This will be put on the September Agenda.

REPORT FROM PUBLIC WORKS DIRECTOR:

Mr. Lawson stated he went out to two commercial companies to get prices on grass cutting. There is roughly 200 acres of grass that would need to be cut. The estimate is \$35.00 to \$45.00 an acre. The cost would be between \$168,000.00 to \$216,000.00. The Township pays \$155,000.00 now to cut the grass. Mr. Lawson suggested that summer help should be placed in the budget in 2011 four people for \$10.00 to \$12.00 per hour that would be roughly \$30,000.00 to \$40,000.00 a year.

Mr. Lawson stated a company Patch Management Inc. came out and gave a demonstration with their patching machine. Mr. Lawson had great reviews from others who have used them. The material is 100% better than what the Township uses now and it is mixed onsite and hold down very well and will last three years or longer. It will cost \$8,950.00 a month to rent the machine and the cost would come out of Liquid Fuels. Mr. Lawson stated he could have two crews on two shifts to run the machine to get better use from the machine. Mr. Lawson recommends that the Township try this out for three months. Councilman Lewis stated he would like more time to look at it and evaluate it. Mr. Bartlett stated that the machine is very efficient and it is immediately ready to drive on after it is applied. President Pluta requested Mr. Lawson to forward information and plan to Council. The paving project will start July 26th.

REPORT FROM CHIEF OF POLICE:

After advertising for RFP's for consultants to assist in the installation of Security Cameras in the Weed and Seed area six proposals were received. The bids are as follows:

1. Syska Hennessy Group, in the amount of \$32,900.00.
2. Remington Vernick & Beach Engineers in the amount of \$37,253.00.
3. K-Teck, Inc. in the amount of \$46,475.00.
4. Herbert, Rowland & Grubic (HRG) in the amount of \$54,100.00.
5. Verizon Business in the amount of \$136,000.00.
6. Avriio Group in the amount of \$399,007.00.

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

The recommendation to Council is to go with the lowest bidder, Syska Hennessy. Chief McAndrew requested for this to be put on the August meeting for a vote.

REPORT FROM THE DIRECTOR OF BUILDING, PLANNING & ZONING:

The Township has a draft for the Open Space Plan. It is due to be presented at the July 21, 2010 Planning Commission Meeting. The County, Mr. Kucher and the Committee have been working on this plan since January. This is part of the requirements for the Bucks County Open Space guidelines in order to spend the 1.2 million dollars allocated to Bristol Township. The Township has until 2014 to decide to purchase the land. Mr. Kucher requested Council to put the Open Space Plan on the August Agenda for possible adoption.

REPORT FROM SOLICITOR:

Mr. Sacco stated he had one item for Councils consideration, every year the Bristol Township Police Department applies for the Edward Burn Grant they put together an inner local agreement. The portion that Bristol Township will receive is \$23,800.00 this would be used to purchase equipment for the police.

Motion by Councilman Lewis to approve the inner local agreement for the Edward Burn Memorial Justice Assistance Grant. Second by Councilwoman Tarlini.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

OTHER:

Mayor Monahan stated they met with the residents on Joy Lane about a fence for Marion Village Apartments. Mr. Sacco stated that a letter was submitted requesting them to install a fence that was previously agreed to install, and will keep working to have the fence installed.

President Pluta stated that anyone interested on serving on Transition Committee to submit a letter of interest along with a resume to the Manager.

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

OPPORTUNITY FOR RESIDENTS TO ADDRESS COUNCIL:

Wayne Turner of Croydon stated he would like to know what chemicals are going to be used in the mosquito spray. Mr. Bartlett stated it is the same chemical that the County has been using, and he will get that information for the next meeting. Mr. Turner question when a sewer line is replaced if the whole pipe is replaced or re-lined. President Pluta stated it depends on the condition of the pipe. Mr. Turner stated another truck got stuck under the Croydon Bridge and questioned if the driver will get a fine for ignoring the posted sign. Chief McAndrew stated that there are sections in the Vehicle Code that address that and he assumed that they would get a fine. Mr. Turner questioned if Council is willing to look at the Ordinance Code to see what is legal and what is not without the help from anyone. Mr. Sacco stated the Code Book is about 200 chapters and is made up of ordinances that have been adopted since 1980 and before that so to go back to the last 20 years to look at all the ordinances would be very timely.

Mr. Obert stated the DE recommended not to license the Sewer Director and he feels that the Sewer Department ran better as an Authority. Mr. Obert questioned what the balance was in the liquid fuel. Mr. Lawson stated \$162,000.00. Mr. Obert asked if the \$27,000.00 for the use of Patch Management would come out of the Liquid Fuel. Mr. Lawson confirmed that it would. Mr. Obert questioned if Morrissey will pay for any blow ups that could happen when they pave the roads. Mr. Lawson stated that it was in the bid specs. Mr. Obert stated that you cannot regulate the placement of a Political Signs but you can regulate the size.

Mr. Joe Turnhill stated that the Sewer Department is out of hand and Council is making choices that should be made at the meetings so we could make some of the choices. Mr. Turnhill questioned why the Township went out to clean the property that did not belong to the Township. It was discussed that the Township went out to clean up and move the homeless people out that were building homes.

Mr. Bo Pustiak questioned if the Transition Committee applications should go to the Government Study Committee instead of the Township. Mr. Sacco stated that Council will have to vote on the Transition Committee. Mr. Pustiak stated the Grass Cutting should go out to bid and it should be how many inches high the grass is not how many times it is cut. The Cold Patching is a rental the Township should just hire someone in to do the work. Mr. Lawson state it would cost around \$30,000.00 to hire someone.

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

Jake Tryon questioned if anyone can do anything about the swamp area around a drainage ditch by Pathmark. Mr. Bartlett will look into it. Mr. Tryon questioned why the Sewer Department cannot go back as an Authority because they had money then.

Wes Retzler stated that since the Township went out to clean out the property by Delhaas it would be considered past practice and they will try to make the Township clean it up again. Mr. Sacco stated no. Mr. Retzler thanked Officer Mawhinney for showing him the Police van. Mr. Retzler questioned if the residents instead of signing up before the meeting to address Council why they couldn't sign up any time before Opportunity to address Council. President Pluta stated that it was in the Administrative Code that residents must sign in with the secretary before the start of the meeting. Mr. Retzler questioned what would constitute a Township Employee to be unbecoming of an employee. Mr. Sacco stated anything out of the job description code book. Mr. Retzler questioned if Pothole Killers has anything to do with a Council Members Brother in Law. President Pluta stated that he brought Pothole Killers to the Township 2 years ago after seeing them repair New Falls Road

President Pluta made a comment that the fine for the Sewer Department is not directed to the current Sewer Director, it goes back to about 1995 up to and including 2006. President Pluta stated he would like to have an Executive Session for about 15 minutes to discuss Personnel Issues and would like to have an Executive Session on Tuesday July 20, 2010 at 3P.M to discuss Litigation.

Motion by Councilman Lewis to adjourn the meeting at 10:03 P.M. Second by Councilwoman Tarlini.

Roll Call Vote:	Councilman Tucker	Yes
	Councilman Lewis	Yes
	Councilwoman Tarlini	Yes
	Vice President Davis	Absent
	President Pluta	Yes

Motion approved 4-0

**BRISTOL TOWNSHIP COUNCIL MEETING
JULY 15, 2010 CONTINUED**

- 1. Motion to appoint Stark and Stark as Labor Attorney.**
- 2. Motion to appoint Remington, Vernick & Beach Engineers as Community Development Engineers.**
- 3. Motion to appoint Richard Hireling to the Bristol Township Development Board.**
- 4. Motion to appoint Ken Worthington to the Bristol Township Development Authority Board.**
- 5. Motion to approve the outstanding voucher list and requisitions for June 2010.**
- 6. Motion to approve the minutes for the June 3, 2010 Council Meeting.**
- 7. Motion to formalize a plan and guidelines for Public events for the Parks and Green Belts.**
- 8. Motion to amend the approval letter for Bridge Business Center to add additional language to reference the condominium.**
- 9. Motion to approve the Preliminary & Final Land Development for 6012 New Falls Rd. Parcel 5-34-132.**
- 10. Motion to approve erecting all three billboards for parcels 05-020-001-009, 05-016-017 and 05-020-001-007.**
- 11. Motion to approve invoice 603 from Musser Sewer and Septic, LLC in the amount of \$17,847.56.**
- 12. Motion to approve payment for Newportville/Fergusonville Lighting Project in the amount of \$36,484.00.**
- 13. Motion to approve Progress payment release number 5 Newportville/Fergusonville Lighting Project in the amount of \$1,312.20.**
- 14. Motion to approve final Payment Release for Newportville/Fergusonville Lighting Project in the amount of \$46,351.60.**
- 15. Motion to approve the inner local agreement for the Edward Burn Memorial Justice Assistance Grant.**
- 16. Motion to adjourn the meeting at 10:03 P.M.**

**Respectfully submitted by:
Betsey Kelly-Kryven
Secretary**