

BRISTOL TOWNSHIP

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COUNCIL MEETING

October 2, 2008

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

EXECUTIVE SESSION: personnel, litigation and real estate were discussed.

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

ROLL CALL: Council Members Davis, Pluta, Tarlini, and Monahan were present. Councilmember Mobley was not present at the meeting.

Public comments will be taken as each item is addressed. General comments will be taken during Opportunity for Residents to Address Council. Public comment on general and agenda items will be taken at this time. An Audience Participation form must be completed and given to the Township Secretary prior to the roll call of the meeting as provided in the Bristol Township Administrative Code, Section 306. Residents should adhere to the three minute public participation guideline. Total public comments are limited to one hour.

President Davis stated at the last Council meeting an erroneous statement was made by a resident regarding the increased cost of asphalt. An accusation that the Township wasted \$500,000 due to the lack of a signed contract was totally false and misrepresented. I personally spoke with Mr. Barrett of Barrett Asphalt and he never told this resident anything regarding the increase in asphalt prices. I would like to read a letter that we received from Mr. Barrett's attorney. Dear Mr. Sacco: as you are aware this office represents Barrett Asphalt Incorporated which is the supplier of asphalt paving materials to Bristol Township in connection with the 2008-09 Bucks County Consortium Crushed Stone aggregate and Paving Materials contract. As the solicitor for Bristol Township you have inquired as to the circumstances surrounding the increase in price of asphalt paving materials which have been passed on by Barrett Asphalt Incorporated to Bristol Township. As a result of the increase in price which Barrett has to pay for asphalt cement, one of the ingredients in the hot asphalt mix paving material. In response to your inquiry as we discussed with the PennDOT Representative who is Calvin East Jr. The consortium bid proposal provided for the supply of asphalt paving materials in accordance with current PennDOT specifications including publication 408 which were incorporated into the bid docs by reference. These PennDOT specifications and in particular publication 408 provides for price adjustments for asphalt paving materials based on an AC index price summary which is calculated by PennDOT on a monthly basis. Attached is a copy of the index through September of 2008. This AC price adjustment index

provides for increases in the cost of AC to asphalt suppliers to be passed on to municipalities purchasing under the consortium bid. The exact same specifications and index also supplied to Penndot's purchase from asphalt suppliers. As we discussed the increase does not result in any windfall or other profit to Barrett Asphalt as the supplier. But, merely allows Barrett to pass on to the customer the actual increase which Barrett has to pay for the AC. This increase is calculated not by Barrett, but, by Penndot, in accordance with their index price summary. As I advised Barrett has also passed on this index price increase to other consortium customers in the same manner as it is being passed on to Bristol Township. Yours sincerely, John Coupman. Lastly Council will not stand up for any resident who knowingly makes misrepresentations such as this one. We strongly urge those who want make phone calls as a so called watch dog please do not mention the Township. We will not be responsible for inaccuracies and false statements in the event of law suit against us. Lastly the live broadcast was established for those who cannot make the meeting as a service to our residents. It is not a means for personal politicking to run for office. Thank you.

REPORT FROM MANAGING DIRECTOR:

Mr. Bartlett reported resolutions will be presented probably every meeting now through the end of the year. We are required to pass a resolution requesting a drawdown of funds for the casino grant monies. These are the 2008 casino grants that we have received. We have one this evening it is Resolution numbers 35-2008 for contract number RA16-2007-BR08. The payment request is \$6,915. This particular grant is to the purchase of payment of the two police dogs that we received a grant to purchase dogs and train them. We actually purchased the dogs. They were delivered here from Europe. This is the draw down authorization. So if Council would make a motion to approve this resolution, I would appreciate it. Councilman Monahan called for the motion to approve resolution number 35-2008 for contract number RA16-2007-BR08 to purchase two police dogs. Second by Councilman Pluta. Poll: all ayes. Motion approved.

Mr. Bartlett reported at the last meeting, I mentioned that we had our Township carnival. We had a total rain out on one evening. We had a very poor showing the first night because of the threatening weather. We have taken that into consideration. We did an analysis here of all the receipts and our expenses and the Township after all expense was \$2,494. The previously year the net was \$3,449. That was about a \$1,000 difference. However the year before we had actually five nights that we had good attendance and good weather. There was only one evening closed for weather. Also it was held during the time period when the students were ending their school year. It wasn't in September as it was this year. So there was a \$1,000 difference in the net profit. The proceeds for this will be allocated to the recreation capital budget for capital improvements to one of the township parks.

Twenty two grant applications for the casino were due and delivered this week. They were including grants from the fire department and rescue squads and also authorizing a partnership grant for the TAG organization. Hopefully the Redevelopment Authority will look favorably upon some more grants. Hopefully we will come out well.

PUBLIC WORKS:

Mr. Lawson reported the Township stopped taking tires four years ago. Pete's junk yard will take them.

We are setting up for the auction for the used cars and used vehicles at the shop. We will start putting them in line and in categories.

COUNCIL ITEMS:

- A. Call for a motion to approve the lowest qualified bidder on Bid No. 2008-14 Sanitary Sewer Internal Televising Inspection and Repair. Mr. Bartlett stated Musser is recommended by the Sewer Director. They are the lowest bidder with a total bid price of \$332,700. That would be the maximum price. A lot of these items listed in here are a unit price, based on the linear footage that they would be working on. If they happen to find less damage in a pipe then they would be using less materials and if they find more damage they would actually just televise less amount of footage of piping to keep within that price range. It was recommended by our director of Public Water and Sewer and our Consulting Engineer that the bid be awarded to Musser Sewer and Septic. The money for this is coming from some money that was in the sewer budget that was allocated to inflow and infiltration work and the remainder of it is coming from a casino grant that was received in 2008. It was a grant for \$250,000 towards this type of work. Vice President Tarlini called for the motion to approve Musser, the lowest qualified bidder on Bid No. 2008-14 for Sanitary Sewer Internal Televising Inspection and Repair. Second by Councilman Monahan.

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

Motion Approved 4-0

- B. Discussion regarding the Green Lane Properties. Mr. Sacco stated this is the former 3M. Final land development was granted last year. Following the approvals the Township and our office on the Township's behalf enter into development agreements with the developer. The purpose of the development agreement is to assure that they do all the public improvements on the site and we have them post financial security to assure that those improvements get completed. The improvements were being done in phases. Under phase one; they were going to do a lot of the public improvements and a lot of the improvements around the proposed buildings. Since they haven't been able to lease out those buildings at this time they requested a meeting with Gary Smith and myself to sit down and go over shifting the financial security to complete all the site work on the site vs. doing all the public improvements to the building area since they don't have a tenant at this time and didn't want to lock themselves in to developing buildings and a new tenant may come along and they have to shift or revise the building. What they requested

is that we reduce the phase one security for the phase one development to \$140,000 which is actually ten percent of all work they have completed to date. They then requested that we create a new development agreement which would be phase two for a total of \$385,000 which would cover all the site work for the remaining portion of the site. So, if they finish phase two they will now have all the site work done for the location and they can move to the building improvements once they secure a tenant. Since you already approved releases we thought it was prudent to bring it before Council and since they want to enter into a new development agreement for a different portion of the site we thought it would be prudent to bring that before Council as well. The review letter dated September 30, 2008 from Gary Smith says he has reviewed all the improvements that have been done to the site and he agrees with the reduction and he also agrees with shifting the work at this time from focusing on the building to completing the site work. Vice President Tarlini called for the motion to reduce phase one development agreement to \$140,000 in security and to approve the posting of \$385,000 for the phase two development. Second by Councilman Monahan.

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

Motion Approved 5-0

REPORT FROM SOLICITOR:

Mr. Sacco reported I brought Council up to date on the proposal for the Phantom Fireworks Store at last meeting where Council authorized me to oppose the application. That application is actually been continued until the November 10, 2008 Zoning Hearing Board Meeting. We will again be going on behalf of Council to oppose.

There will be an advertisement in the legal section of the newspaper in the next four weeks notifying the Bristol Township Residents that there is a ballot question on the November 4th ballot for the creation of a Government Study Commission. And then the election of government study commission members regardless of whether you voted yes or no for the question. Under the election code the County Board of Elections post the notice ten days in advance but it is the municipality's responsibility to post it thirty days in advance and for three successive weeks prior to the election. The actual question will be in the paper as well as a non-legal interpretive statement which basically explains what the question is and the ramifications if you vote yes or no. Monday it will run for the first time and then it will be in for the remaining weeks prior to the election.

OTHER:

Councilman Monahan stated sometime ago I spoke to Mr. Lawson about a portion of the road in Indian Creek, there were a couple of blow ups, you had to dig it up, when will they be repaired? Mr. Lawson responded we have to finish our project with the State by October 18th. We will probably in the next week or week and a half we will start digging out over there, fix the blow up at the top and then we will probably pave (possibly) the week of the 18th. We had a couple other issues in the same general area. Councilman Monahan stated thank you, I will inform the resident who contacted me with this problem.

Vice President Tarlini stated discussions are ongoing regarding green environmental friendly programs at several of our meetings. But I don't believe we are actually doing anything. Many townships are starting a very liberal type of ordinance where they are having a start up policy for example they are using recycled paper, green cleaning supplies and waste reducing products. We need to start this incentive program now. Vice President Tarlini called for the motion to start the incentive program for a green environmentally friendly program no later than January. President Davis stated Mr. Kucher said at the last meeting he is going to come back with proposals. Vice President Tarlini stated I am just looking for something very simple, recycled paper, green cleaning products and light bulbs, those kinds of things. I actually think there is an ordinance I read in one of those magazines. Maybe we will have Mr. Sacco look into this rather than in a motion. I know there is an ordinance out there but I would like to do this liberally so that we don't get hung up to heavy with it, just a start. Mr. Bartlett stated I know we're looking at this, we are looking more at building materials, and that is something. Mr. Kucher is working on this. I think, a motion by Council directing me and the public works director for when we are purchasing materials for the building, would give direction from Council that you are encouraging us to look at green products and we should go that direction. I don't know if that needs to be as formal as an ordinance at this point. We could start this immediately by action of a motion of Council. Vice President Tarlini stated I will change the motion: I would like my motion to be in the form of a policy, I would like it to be policy that we start a green environmentally friendly policy no later than January. Second by Councilman Monahan. Poll: all ayes. Motion approved.

Vice President Tarlini reminded the residents the Police Department is having an outreach program October 9, 2008 (at the senior center) where people can come and have discussion with them. The focus of the meeting is Plumbridge and Indian Creek. You may want to check the newspaper for other areas that may be covered by the program. We have gone to some of them. It is a nice program in a relaxed atmosphere. You can speak with officers about things you may not normally speak with them about.

President Davis stated the School District is starting a program. I asked Council to get involved, unfortunately they just called me a couple days ago so I didn't get a chance to really go over it with Council but they want to promote healthy kids day. They asked us to make it a proclamation that we are going to do it October 8th. I would like a little more time to review it and show it to Mr. Sacco. Please

call the School District; they are going to have a lot of fun things revolved around the healthy kids' day coming up. We will meet with the School District to see how Council can help out with that.

PUBLIC COMMENT:

1. Gallus Obert-said a response has not been received from Animal Control regarding the rat in my backyard. No one has called me yet since the last meeting. Mr. Lawson responded all the rat complaints were forwarded to Professional Pest. Mr. Bartlett asked if the rat is still there. Mr. Obert responded I was wondering if they were going to call me or not. I haven't seen it but it could come back. President Davis stated people have real problems with this. The rat was already taken care of; you said you took care of that. Mr. Obert stated I was going to bring it here but I couldn't trap it. The budget presented by the Mayor is due the 18th, which is a Saturday, when does he plan to present the budget? President Davis stated he will be here on the 16th to present the budget. Mr. Obert asked what is the status of my request for information and the implementation of the audit recommendations? Mr. Bartlett stated the requests for information are typically ten working days. You had requests for signed contracts and a list of vacant buildings. Mr. Obert asked about the fraud tip line (recommended by the forensic audit)? Mr. Bartlett stated they are working out the final logistics although we have contracted with them. We forwarded the contract into the company. We will send information to the employees and the program will be up and operating in two or three weeks from now. Mr. Obert asked if the residents could get a fraud tip line? Mr. Bartlett responded we are looking at a lot of our internal reporting issues. We are working with our auditors. Mr. Obert asked what is the price of asphalt today? Mr. Lawson responded \$61.30. Mr. Obert stated this is the first I heard since I was on the Road Committee that we had to be done by October 18th. I thought this information would have been offered early on when the contracts were signed. Since I don't have a copy of those contracts I will not comment on them because I learned a great lesson tonight and it seems that when people come here to volunteer to help this Township you do your utmost to drive them away, thank you.
2. Bob Ausora-said the people who work in the building and volunteer at the carnival did a great job. The police officers and Officer Egan did a great job with the kids. On Emilie Road as you make the right on Oxford Valley Road the surface is coming up on Emilie Road right near the gas station there. Also the lines for the handicapped parking spaces in the building parking lot should be blue, not white. The businesses in the Township are told the handicapped lines must be blue. The Township should fence their dumpster here; the businesses have an ordinance saying they must have the fence. If we have an ordinance we should follow it so it can be enforced. Mr. Lawson stated I was told the lines could be white. This should be researched.
3. West Retzler-asked where the notices must be posted to rezone a property? President Davis stated I believe they have to be attached to the property, on the fence. Mr. Sacco responded it must be conspicuously posted. You must be able to see it from the road. Mr. Retzler stated you can go in if you can't see it, correct? Mr. Sacco stated if it is residential it should be on the lawn.

BRISTOL TOWNSHIP COUNCIL
OCTOBER 2, 2008

ADJOURNMENT:

President Davis called for the motion to adjourn. Second by Councilman Monahan. Poll: all ayes.
Motion approved. The meeting adjourned at 7:40 P.M.

Respectfully submitted
Denise Gorry
Secretary

/dg

MOTIONS APPROVED:

1. Approve resolution number 35-2008 for contract number RA16-2007-BR08 to purchase two police dogs.
2. Approve Musser, the lowest qualified bidder on Bid No. 2008-14 for Sanitary Sewer Internal Televising Inspection and Repair.
3. Reduce phase one development agreement to \$140,000 in security and to approve the posting of \$385,000 for the phase two development.
4. Start a green environmentally friendly policy no later than January.

10/2/08

	NAME	STREET ADDRESS	AGENDA (X)	OTHER (X)
1	GALLUS OBERT	51 FREEDOM LN	X	X
2	Bobby AUGER	Blue Ridge Scots	X	X
3	Way Ken	West Bristol		
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