

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

**Monday
June 13th, 2022**

COUNCIL MEMBERS PRESENT:

Joseph Knowles, Council President
Edward Kisselback, Council Vice President
Joseph Pilieri, Council Secretary
Michelle Benitez, Council Member
Stacey Champion, Council Member

SUPPORTING STAFF PRESENT:

Mayor Joseph DiGirolamo
Debora McBreen, Council Clerk/Recording Secretary
Quinton Nearon, Senior Municipal Inspection Manager
Joseph Pizzo, Township Solicitor
Phil Wursta, Township Engineer/Traffic Engineer

PLEASE NOTE:

The minutes are not verbatim but rather a synopsis of what transpired during the meeting, and while I do my best to attribute remarks and questions to the correct individual, there may be mistakes or omissions because of the “back and forth” dialogue and the lack of the use of their microphone.

1. PLEDGE OF ALLEGIANCE:

Council President Knowles opened the meeting with a moment of silence and/or prayer which was followed by the Pledge of Allegiance.

Council President Knowles asked **Solicitor Pizzo** if there were any changes to this evening’s agenda.

Solicitor Pizzo indicated Agenda Item 13, regarding Johnson’s Development, the Township received correspondence from the developer advising they are still working through some issues with neighboring property owners and as a result are asking this evening’s hearing be tabled, also they are granting an extension of time under the applicable provisions of the municipalities planning code through and including the 31st of July. Based upon Solicitor Pizzo’s discussion with Mr. Meginniss, the attorney representing the applicant, it was requested to be placed on Council’s first meeting agenda in July. **Council Secretary Pilieri** motioned to table agenda item 13 to a date certain of July 11th, **Councilwoman Champion** seconded and the motion carried 5-0.

Agenda Item 12, Robert Siuta, 1313 Park Avenue, Solicitor Pizzo had a discussion with the applicants engineer and the Township’s engineer before this evening’s meeting. There are a few changes that need to be made to the applicants plan before it will be in a position for Council to consider it. The Township does not expect the applicant to be too significant in terms of the amount of time it is going to take the engineer to do it, but certainly significant in terms of the Council’s consideration. Therefore, the applicant is requesting the item be tabled to the June 27th meeting. **Councilwoman Benitez** motioned to table agenda item 13 to a date certain of June 27th, **Council Secretary Pilieri** seconded and the motion carried 5-0.

Agenda item 7, an ordinance amending the defined benefit pension plan and trust for the non-uniformed employees of the Township will need to be tabled as the Township is awaiting information from the Township’s actuaries that hasn’t come in. **Council Secretary Pilieri** motioned to table agenda item 7 to a date certain of July 11th, **Councilwoman Champion** seconded and the motion carried 5-0.

Presentation of D.A.R.E. Poster Contest Winners

Presentation of the B3T “Rosemary Adiletto Scholarship” and the “Sonny Parikh Scholarship”

2. PUBLIC COMMENT:

Council President Knowles indicated the Public Comment will be heard at the time the agenda item is heard. Seeing no one come forward, the first of two Public Comments was closed.

3. APPROVAL OF COUNCIL MINUTES:

Council Secretary Pilieri motioned to approve the May 9th, 2022 Council Minutes as presented, **Councilwoman Benitez** seconded and the motion carried 5-0.

4. COUNCILS CONSIDERATION OF MAYORS THREE RECOMMENDATIONS TO THE EDC ADVISORY BOARD:

Michael Cook

Ashley Thomas

Archana Sharma

The Mayor presented the three resumes to Council for his recommendation to the EDC Advisory Board.

Council Vice President Kisselback indicated their resumes were very impressive.

Council President Knowles indicated there are a lot of good people on the board. The Executive Director, Bob Norkus, is doing a fine job.

Council Vice President Kisselback motioned to accept the three recommendations from the Mayor for the EDC Advisory Board, **Councilwoman Benitez** seconded and the motion carried 5-0.

5. **CONSIDERATION OF THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:**

John Chaykowski, Finance Manager, indicated the Township is looking to amend the 2020 Community Development Block Grant Program. The Action Plan that was originally approved in 2020 when the Grant was awarded, , the Township is now looking to reallocate funds within the program. The Township is looking to add to the Curb Cut Program that is being performed right now throughout the Township due to the increase in costs of the actual program itself.

Councilwoman Champion motioned to approve as presented, **Council Secretary Pilieri** seconded and the motion carried 5-0.

6. **CONSIDERATION AND PUBLIC HEARING OF AN ORDINANCE AMENDING AND MODIFYING THE POLICE EMPLOYEES' ACT 600 PENSION AND RETIREMENT PLAN:**

Mr. Chaykowski indicated through contract negotiations there was a reduction in the retirement age from age 55 to age 52 with 25 years of service for anyone hired after 1999. In 2009 the Commonwealth adopted the “killed in the line of service” death benefit for an officer. The Commonwealth will fund the death benefit paid to the survivor’s spouse or dependents. That language was added to the collective bargaining agreement in 2009-2010. However, the Township never updated the actual pension ordinance. The contract supersedes the ordinance as it would have, if it should have occurred. However, the Township updated the ordinances to reflect the Act that was passed in 2009 by the Commonwealth for that benefit as well. Those are the two changes that were done to the pension ordinance itself and Mr. Chaykowski is available to answer any questions.

Council Secretary Pilieri motioned to approve as presented, **Council Vice President Kisselback** seconded and the motion carried 5-0.

7. **CONSIDERATION AND PUBLIC HEARING OF AN ORDINANCE AMENDING AND MODIFYING THE DEFINED BENEFIT PENSION PLAN AND TRUST FOR THE NON-UNIFORMED OF THE TOWNSHIP OF BENSLEM:**

This matter was tabled by a prior motion to a date certain of July 11th, 2022.

8. **CONSIDERATION OF A RESOLUTION REGARDING THE BENSALEM POLICE PENSION WHICH WAS ADOPTED PURSUANT TO ACT 600:**

Mr. Chaykowski indicated when he presents the Minimum Municipal Obligation in September for the following year, he also presents this Resolution adopting the employee contribution for that calendar year. The minimum required contribution, according to Act 600, is 5% of an employee's paycheck into the pension plan. A Township can adopt a Resolution to bring that contribution less than the 5% should Council approve it. As in the past, through contract negotiations, the Township was able to increase the employee contribution this year from 3 ½% to 4 ¼%. The police officers will be contributing more to the pension this year in conjunction with receiving the reduction in retirement age benefits.

Council Vice President Kisselback motioned to approve as presented, **Councilwoman Benitez** seconded and the motion carried 5-0.

9. **CONSIDERATION OF A RESOLUTION FOR ACT NO. 537, PA SEWAGE FACILITIES ACT, PLAN REVISION FOR NEW LAND DEVELOPMENT OF A PARCEL OF LAND IDENTIFIED AS 4946 NESHAMINY BOULEVARD SUBDIVISION:**

Philip Wursta, Township Engineer, indicated this is a general form that is filled out every time a plan is connected to a public water sewer. This indicates the sewer is going to be installed and gets an approval from the DEP and the city of Philadelphia and the Township of Bensalem. The issue regarding this form it was already signed off on after it went through the city of Philadelphia. The problem was the person who does it from Philadelphia was on a sabbatical. The module was signed by the Township of Bensalem and the DEP kicked it back saying the Township of Bensalem cannot sign it until the City of Philadelphia signs it first. It was a clerical matter.

Councilwoman Benitez motioned to approve as presented, **Council Secretary Pilieri** seconded and the motion carried 5-0.

10. **CONSIDERATION AND SIGNING OF AGREEMENTS FOR:**

Applicant:	Amazon.com Services, LLC – Phase 3
Location:	445 Winks Lane & 777 Winks Lane
Proposed Use:	Offsite Parking Improvements
Zoning Classification:	GI - General Industrial
Tax Parcel:	2-79-10-1 and 2-79-9

A. Land Development Improvements Agreement
(6) Executed copies to be signed by Council upon consideration.

B. Stormwater Best Management Practices Operations & Maintenance Agreement
(6) Executed copies to be signed by Council upon consideration.

Solicitor Pizzo indicated before Council this evening, are the Land Development Improvement Agreements and the Stormwater Best Management Practice Operation and Maintenance Agreements for Amazon Phase III located on Winks Lane and State Road. The Developers Agreements have been prepared by the Solicitor's office, they have been executed by the developer/applicant. The necessary funding associated with the agreements has been submitted to the Township and the agreements are in a form acceptable for Councils consideration and approval.

Council Vice President Kisselback motioned to approve, **Councilwoman Champion** seconded and the motion carried 5-0.

11. CONSIDERATION OF ESCROW RELEASES FOR:

A. Developer's Request: Faith Unity – Release #1 - Revised
Location: Richlieu Road
Tax Parcel: 2-1-55-2
Amount: \$ 43,500.00

Engineer Wursta recommended the escrow release in the amount of \$ 43,500.00.

Council Vice President Kisselback motioned to approve, subject to an audit by the Finance Department, **Councilwoman Champion** seconded and the motion carried 5-0.

B. Developer's Request: Samarpan Hindu Temple– Release #8
Location: 2746 Mechanicsville Road
Tax Parcel: 2-36-8
Amount: \$ 96,854.72

Engineer Wursta recommended the escrow release in the amount of \$ 96,854.72.

Council Secretary Pilieri motioned to approve, subject to an audit by the Finance Department, **Councilwoman Champion** seconded and the motion carried 5-0.

12. CONSIDERATION OF A MINOR PRELIMINARY SUBDIVISION:

Applicant: Robert Suita
Location: 1313 Park Avenue
Proposed Use: Residential
Zoning Classification: R-A – Rural District
Tax Parcel: 2-70-5

This matter was tabled by a prior motion to a date certain of June 27th, 2022

13. **CONSIDERATION OF A PRELIMINARY LAND DEVELOPMENT FOR:**

Applicant: Johnson Development Associates, Inc.
Location: 2600 State Road
Proposed Use: Warehouse/Distribution
Zoning Classification: R-55 - Riverfront Revitalization District
Tax Parcel: 2-65-21

This matter was tabled by a prior motion to a date certain of July 11th, 2022.

14. **PUBLIC COMMENT:**

Lawrence & Donna Grace, 918 Tennis Avenue, read a 3-page letter referring to the business located next to their property.

Council President Knowles indicated Council was in receipt of the two letters Mrs. Grace referred to in regards to the business, Riggs & Distler, located next to the Grace's home. The Township is working with Solicitor Pizzo and Director Farrall to resolve the situation.

The Mayor addressed Mr. Grace and indicated the business does not have a Use & Occupancy. The Township stopped them from getting a Use and Occupancy as soon as a truck arrived onto the property. The trucks are not permitted on the property and they have been cited and issued a citation. When Riggs & Distler came into the Township they presented their business as an electrical company with trucks the size of a van. They misrepresented their business and whatever it takes the Township intends to get their trucks removed.

Solicitor Pizzo indicated the Township is aware of the violations, the Township has begun the process of issuing the notices of violation and pursuing the means necessary to get the violation stopped. It probably doesn't behoove anyone to talk in any greater detail because the Township is in the process of starting litigation, and does not want anyone to inadvertently say something that is being recorded and could jeopardize the Township's ability to effectively enforce the Township codes.

The Mayor made it very clear this is not a Council problem but an Administrative problem. Council makes the laws and the Administration enforces those laws. Council received the letters making them aware of the situation but it is up to the Administration to get the job done.

Tony Williams, 3963 Bainbridge Court, lives in a townhouse community and indicated with the gas prices the way they are, what can a townhouse owner do if they want to buy an electric car and place a charging station in front of their house.

Council Secretary Pilieri indicated if Mr. Williams did put a charging station in front of his home, what could stop someone else from using the station since he lives in an area with community parking.

Council President Knowles indicated, at the time, the townhomes were built in the 70's and you purchased your home in a public community and it really is hard to resolve.

Council Vice President Kisselback indicated it would be an effort between the Township and the different housing associations. The Township would have to check with the electric company or some independent electrical contractor to put some type of a charging area in the Clusters.

Solicitor Pizzo indicated when Mr. Williams was here in April of last year, gasoline was \$2.00 a gallon. In the ensuing year it is now \$5.00 a gallon. Mr. William's point is well taken. Looking at electric vehicles and how the Township might be able to help the many residents of the townhome communities and in non-single-family communities, not necessarily for the Township to provide it, but to make it so like Mr. Williams is saying, if he wants to be able to set up a charging operation in front of his townhome there is a means for him to do it and that he knows he will have access to it. There are a lot of moving parts as to what Mr. Williams is talking about because some of the townhome communities have associations, and it would fall under their umbrella where others don't. With Council's concurrence, the Administration will start to work with the zoning and building departments to first identify all of the issues, and then figure out a way to address it.

The Mayor indicated the Township was going to place two stations at the Knights Road entrance but the cost was too high and it was not in the budget.

Theresa Crowley, 184C Taylors Road, Washington's Crossing talked about electric cars.

Natasha, 2047 Hansell Drive, asked about fixing some of the "things" on Hansel Drive.

Engineer Wursta indicated the Township spent weeks on Hansel Drive fixing a lot of the "things" and on Natasha's property as well in regards to the issue associated with the drainage and the problems compounding because of not having the Armstrong site developed. The Township's Engineer staff have been out to Hansel Drive quite a bit. Public Works has been out there cleaning and doing things off and on over the past few months in regards to the overall situation on Hansel Drive. The bottom line, which has been determined, is when Armstrong or whoever comes in and develops the site that their basins will take care of much of the drainage associated with what is coming off of the Armstrong site. It has also been determined that the waterflow associated with the area in Armstrong is because there is a stream that goes under Hansel Drive, then it goes out to Street Road and continues on through the Golf Course. Engineer Wursta is evaluating options as far as what can be done as a Township along with the school district, perhaps, to come up with something to further mitigate the drainage issues associated with Hansel Drive, which will also positively impact all of the other downstream projects.

Natasha thanked the Township for coming out and cutting all of the over-growth out from behind her property but it is starting to grow back. Natasha passed around pictures of the overgrowth and trash.

Solicitor Pizzo indicated the Township has approved the land development plan but the Township has no ability to force the owner to start to develop the land. As the photographs show, following a visit from the last meeting, the Township did require the land owner to go out and clean up the site, cut down all of the stuff, and as these photos from April 30th show, stuff was removed off of the fence, everything was cut down to grade, all of the trash was removed. If trash is making its way back onto the site, obviously Quinton Nearon, Senior Municipal Inspection Manager, is here and the Township will continue to monitor the situation. Solicitor Pizzo explained the process of property owners who fail to maintain their property.

Coleen Rispo, 2032 Hansell Drive, complained about the stormwater management.

Tom Holcomb, 1043 Cornwells Avenue, indicated TMP 2-61-54, water erosion is causing the fence to be the way it looks in the pictures Mr. Holcomb passed around to the Council members. Trash, old bricks and concrete are being dumped onto this property. Three giant oil tanks located on this property left by the previous owner. Quinton Nearon, Senior Municipal Inspection Manager for the Township, was given the photos which were supplied by Mr. Holcomb, and President Knowles indicated that Mr. Farrall, Director of the Building and Planning Department, will be notified and the situation will be rectified.

Council Secretary Pilieri asked for a breakdown and where the Township stood regarding the dirt pile on Mr. Popli's property.

Quinton Nearon, Senior Municipal Inspection Manager, indicated the Township is still trying to find places to take the dirt. Mr. Nearon reached out to a place in Falls, but has not received a call back. The Township is trying to relocate the dirt and have reached out to a various numbers of proposed takers, but none have found the need for that much dirt. County knows the Township is looking into relocating the dirt and they are helping as well and will advise of any leads.

Council Secretary Pilieri indicated there has to be a timeline for Mr. Popli to remove the dirt. Plenty of time has been given. Mr. Popli's neighbor, Mr. Connelly, is concerned about the water runoff onto his property. Council Secretary Pilieri asked Mr. Nearon to please keep Council posted to the progress of the dirt pile.

Council President Knowles indicated if it cost extra to ship it further, then Mr. Popli will have to pay the fee for relocating the dirt.

Seeing no one else come forward, the second Public Comment portion was closed.

15. OTHER BUSINESS:

Solicitor Pizzo the Administration will be bringing forward, to Council, at the meeting in July, an Ordinance amending the Township Zoning Ordinance to repeal section 354 the Monument Display Overlay. Solicitor Pizzo wanted to make Council aware and place it on the record that the Ordinance first has to go up to the County Planning Commission for its review, before Council is able to act on the Ordinance.

The Mayor indicated that he takes great pride in what we do here in the Township. When the Mayor hears these complaints and the constituents have to come before Council and the cameras, without calling Administration that it makes the Administration look bad, and that is not our goal. Administrations goal is to clean up the messes here in the Township which Administrations works on every single day. If there is a problem the Township is not solving, Administration needs to know about it. The Mayor and Directors meet every Thursday to go over the current week's work, and it's not that we are dropping the ball, it's just that the ball is rolling so fast and the need to come up with a better solution is at hand.

Councilwoman Benítez indicated tomorrow is Flag Day so fly your flag high! Wished Councilwoman Champion a Happy Birthday. Congratulated the D.A.R.E. award recipients and

the SHINE award recipients. Congratulated the new Deputy Director, Bob Race. The kick-off of the concert season was amazing, it was a beautiful night and a great turnout.

Councilwoman Champion reiterated Flag Day. Thanked those who came out to voice their concerns. The one thing she has learned over these few years is things do take time and hopefully things will keep moving along.

Council Vice President Kisselback indicated the Township is one of the few municipalities in Bucks County, if not Pennsylvania, who still maintains the D.A.R.E. program. B3T is another example of what the community does together for the Township, mostly involving the children of Bensalem and for the future of Bensalem, and an example of that, is the scholarship that was presented this evening to two outstanding individuals.

Council Secretary Pileri indicated we had a nine-game winning streak by the *Phillies* and is keeping his fingers crossed for the *Flyers* season ahead.

Council President Knowles indicated this Sunday is *Father's Day*, recognized the children in the D.A.R.E. program and the two SHINE scholarship winners. Appreciated all of the volunteers from all of the Advisory Boards. We live in a great community and are working forward to get things done, everything doesn't get done fast enough and it is not for the lack of effort or not caring, unfortunately the wheels of government move differently due to many legal aspects. Happy Flag Day!

16. **ADJOURNMENT:**

There being no other business to discuss, the meeting was adjourned.

The Bensalem Township Council Meeting of June 13th, 2022 can be viewed in its entirety at the following websites:

www.bensalempa.gov

or

www.youtube.com

Respectfully Submitted,

Debora F. McBreen
Recording Secretary