

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

**Monday
March 14th, 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 acknowledged the Girl Scout “Daisies” who were in attendance to see government in action to earn their Government Badge and talked about their interview with the Mayor before the meeting.

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.

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

Solicitor Pizzo indicated regrettably, Michael Meginniss, counsel for Agenda Item 5, Johnson Development Associates, Inc., and Agenda Item 6, Chic-Fil-A, is ill and unable to attend the meeting this evening. As a result, his clients have asked to have their respective applications tabled until the next Council meeting date of March 28th, 2022.

A written request was received from Mr. Meginniss' office requesting Agenda Item 5, Johnson Development Associates, Inc., be tabled to a date certain of March 28th, 2022. The applicant has granted the Township the necessary extensions of time under the Municipalities Planning Code for the Townships consideration of that application. **Council Secretary Pilieri** motioned to table Agenda Item 5 to a date certain of March 28th, **Council Vice President Kisselback** seconded and the motion carried 5-0.

Agenda Item 6, Chic-Fil-A Land Development, the applicant has requested the item be tabled to a date certain of March 28th, 2022. **Council Secretary Pilieri** motioned to table Agenda Item 6 to a date certain of March 28th, **Council Vice President Kisselback** seconded and the motion carried 5-0.

Council President Knowles indicated he received a request for a Resolution for a Grant regarding a Soccer Field Revitalization located at First Responder Field. The Resolution was presented this evening and asked for a motion to add the Resolution to the agenda. **Council Secretary Pilieri** motioned to approve, **Councilwoman Benitez** seconded and the motion carried 5-0.

3A. CONSIDERATION OF A RESOLUTION PERTAINING TO THE REQUEST FOR A GRANT FROM THE PENNSYLVANIA COMMONWEALTH FINANCING AUTHORITY REGARDING THE SOCCER FIELD REVITALIZATION OF FIRST RESPONDER FIELD.

John Chaykowski, Finance Manager, Acting Director of Administration, indicated the Township was presented with a Grant opportunity to submit to the Commonwealth of Pennsylvania up to one million dollars, for the Soccer Revitalization at First Responder Field on Bristol Road. The Resolution before Council this evening provides authorization for Township representatives to sign the application and agreements with the Commonwealth should the Township be awarded the Grant.

Councilwoman Champion asked Mr. Chaykowski how long does it usually take to hear back from the Commonwealth. **Mr. Chaykowski** indicated it depends on the Commonwealth itself, probably would not hear back until the Fall, or it could be earlier. With the application process ending very quickly right now, the Township could possibly hear by the Summer. It depends on the amount of applications received by the Commonwealth.

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

3. DISCUSSION REGARDING THE TOWNSHIP AUDITOR:

Council President Knowles indicated Mr. Wild's resignation was accepted at the last meeting. A resume was received from Mr. Emmanuel Jones regarding the Auditors position. **Council Vice President Kisselback** motioned to review and accept the application from Emmanuel

Jones for the position of Auditor. **Solicitor Pizzo** indicated the term will be until the next election. **Councilwoman Benitez** seconded, and the motion carried 5-0.

Mayor Joseph DiGirolamo proceeded with the Loyalty Oath for Mr. Emmanuel Jones who was sworn in on this date, March 14th, 2022 as the Township Auditor.

Solicitor Pizzo indicated as President Knowles pointed out, Mr. Wild's resignation was accepted at the last council meeting. A Council direction of an ad for the vacancy was placed in the Bucks County Courier Times, and was also placed on Township social media and website. Mr. Jones responded and is obviously eminently qualified.

4. **APPROVAL OF COUNCIL MINUTES:**

Council Vice President Kisselback motioned to approve the February 14th, 2022 Council Minutes as presented, **Council woman Champion** seconded and the vote carried 5-0.

5. **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 March 28th, 2022.

6. **CONSIDERATION OF A PRELIMINARY AND FINAL REVISED LAND DEVELOPMENT FOR:**

Applicant:	Chick-Fil-A
Location:	3621 Horizon Blvd.
Proposed Use:	Fast Food Restaurant
Zoning Classification:	PCD – Planned Commercial Park District
Tax Parcel:	2-1-18-26

This matter was tabled by a prior motion to a date certain of March 28th, 2022.

7. **CONSIDERATION OF A PRELIMINARY AND FINAL REVISED SUBDIVISION:**

Applicant:	Charles Woelk
Site Information:	1430 Lavender Road
Proposed Use:	Residential
Zoning Classification:	R-2 - Residential
Tax Parcel:	2-32-185

Lawrence Byrne, Engineer for the applicant, presented the required notifications to the Township Solicitor.

Mr. Lawrence indicated the proposal is for a four-lot subdivision located at 1430 Lavender Road. The review letters were received from T and M Associates and Traffic, Planning and Design. There is one waiver request regarding the sidewalks in the T and M letter dated March 9th, 2022, Chapter 201-Subdivision and Land Development Ordinance (SLDO) item number 23 response indicates:

There are no existing sidewalks in the vicinity of the site. No sidewalks are proposed along this site frontage and the applicant is requesting a waiver. If a waiver is granted, the applicant shall pay a fee in lieu of sidewalk installation per Section 201-111(i).

Council President Knowles indicated the fee would be in lieu of curbs and sidewalks. Mr. Lawrence indicated the waiver is only for the sidewalks. It is a minor widening and the applicant will be installing the curbs along Lavender, Eddington and High.

Council President Knowles indicated there is a \$2,000.00, per lot, recreation fee that the applicant is responsible for along with the Impact fee when the applicant applies for the permits.

Council President Knowles asked Mr. Lawrence if everything else in the T and M letter dated March 9th, 2022 was a will comply. Mr. Lawrence stated that was correct.

Council President Knowles asked if there was anyone in the audience who would like to speak for or against this project. Seeing no one come forward, the Public Comment was closed.

Councilwoman Benitez motioned to approve the Preliminary and Final Revised Subdivision for 1430 Lavender Road, TMP 2-32-185 with the waiver of sidewalks in which the applicant will pay a fee in lieu of and the curbs will be added with the widening of the road and in compliance with the Township Engineer's letter.

Solicitor Pizzo indicated the applicant will comply with all items contained in the T and M review letter of March 9th, 2022. The TPD letter of March 8th, 2022 and all other review letters issued by the Township regarding this application, as Councilwoman Benitez has noted, a waiver has been granted from sidewalks on the condition the applicant will pay a fee in lieu of and the applicant will provide deeds for the four newly created lots to the Township for review and approval by the Township Engineer and Township Solicitor and those deeds will be recorded before or at the time of the recording of the record plan for the subdivision.

Council Secretary Pilieri seconded and the motion carried 5-0.

8. CONSIDERATION OF A PRELIMINARY AND FINAL LAND DEVELOPMENT:

Applicant: Presto Tape
Site Information: 1766 Winchester Road
Proposed Use: Tape Manufacturing
Zoning Classification: L-I – Light Industrial
Tax Parcel: 2-45-21

Douglas Maloney counsel for the applicant is proposing to add an addition 9,400 ft. which will be devoted to storage to accommodate and service a new product. As a result of this new product line, they are going to increase their staff from 38 employees to 50 employees. They have adequate parking on site which consists of 50 stalls. The additional 9,400 ft. will be to the rear of 1766 Winchester Road and is entirely on impervious surface.

There are two land development review letters both dated February 4th, 2022. In regards to the Subdivision and Land Development Ordinance comments the applicant received a series of dimensional variances from the Zoning Hearing Board Meeting back in August of 2021 and they are summarized on page 2 of the review letter. The Subdivision and Land Development Ordinance on page 3:

1. Sec. 201-41: Preliminary plan requirements.

a. Please Supply a Soils Map and details for review.

Applicant: Will Comply to the satisfaction of the Township Engineer.

2. Sec. 201-43: Preliminary plan review.

a. Please supply the Lighting Plan and details for review.

Applicant: Will Comply to the satisfaction of the Township Engineer.

3. Sec. 201-106: Environmental protection and open space preservation.

a. Within any land development, street trees shall be planted along all streets where suitable street trees do not exist.

Applicant: Will Comply to the satisfaction of the Township Engineer.

b. Where buffer yards are required an evergreen planting screen shall be used to provide and adequate visual barrier.

Applicant: Deals with evergreen planting screen for buffer yards. Buffer yards is one of the variances granted so it is not applicable.

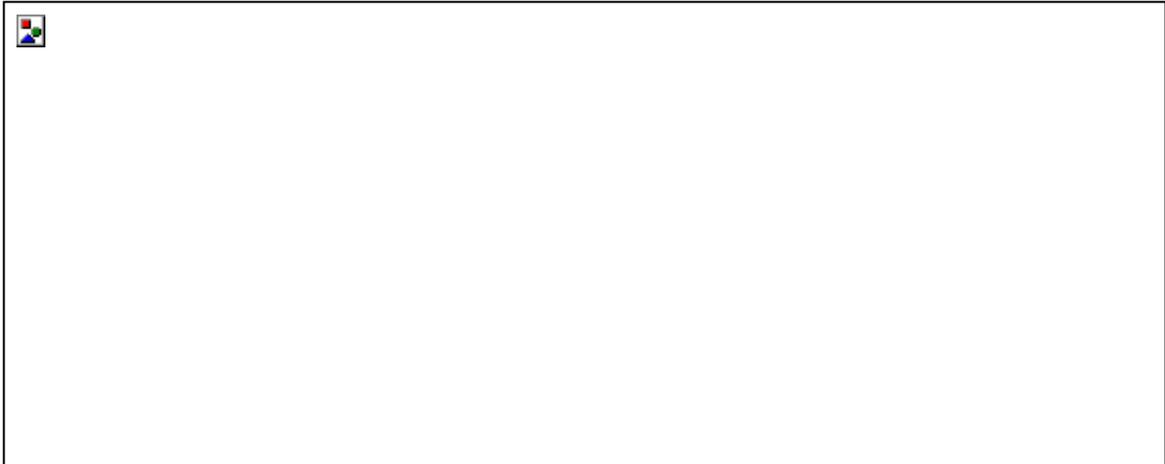
c. Please Supply the Landscape Plan and details as it should be submitted for all land developments.

Applicant: Will Comply to the satisfaction of the Township Engineer.

4. Sec. 201-117: General provisions for curbs and sidewalks.

a. Due to the proposed land development, as required, the Township Council may accept fees in lieu of installation and construction of curbs and sidewalks adjacent to the parcels being reviewed.

Applicant: Requesting a waiver of sidewalks and will pay a fee in lieu of, curbs are being installed.



Stormwater Management Ordinance Comments are a will comply.

Traffic Planning and Design review letter dated February 4th, 2022 has some general plan comments and some recommendations with regards to plan revisions and the applicant will comply to those to the satisfaction of the Township Engineer. The comment regarding the Impact Fee is a will comply and pay the fee estimated in the letter.

Council Secretary Pilieri indicated he was able to go for a tour of the complex and noticed how there was a family atmosphere when he first entered the building. Everyone was friendly, the environment was clean. Very impressed to know there is a business in Bensalem who has Christian values and employees who enjoy their job.

Rich Speeney, president and owner of Presto Tape, described briefly the business model they follow which was followed by a short virtual tour.

Council President Knowles asked if there was anyone in the audience who would like to speak for or against this project. Seeing no one come forward, the public comment was closed.

Council Vice President Kisselback motioned to approve the preliminary and final land development for Presto Tape, 1766 Winchester Road, TMP 2-45-21, all of the zoning, engineering review and the Bucks County Planning Commission, they were all addressed. The subdivision and the land development the applicant will comply with everything that is needed, except the Township would have asked for a variance to be granted for 3b, which is the buffer yards would require an evergreen planting screen shall be used to provide an adequate visual barrier and that has been granted as a variance. A waiver is to be granted for section 4 regarding the curbs and sidewalks and the applicant will pay of fee in lieu of the installation of the sidewalks. The applicant will also comply with any impact fees that are determined by the Impact Fee Committee. **Council Secretary Pilieri** seconded, and the motion carried 5-0.

9. **CONSIDERATION OF A RESOLUTION FOR 537, PA SEWAGE FACILITIES ACT, PLAN REVISION FOR NEW LAND DEVELOPMENT OF A PARCEL OF LAND IDENTIFIED AS AQ SAINT KATHERINE DREXEL M.U.R. DEVELOPMENT.**

Solicitor Pizzo indicated this is a Resolution the Township is routinely asked to approve from time to time for those projects Council has approved and require an amendment to the Townships Act 537 Plan. The developer encountered a time issue with the submission of the 537 resolution. They have been required to construct some off-site sewer facilities and as a result, in order to get things processed in a timely fashion, in this instance, the Township was asked if the Township could and would approve the resolution prior to this evening's meeting so that it could be submitted to the DEP. As a result, the Director of Building and Planning contacted Council and received their concurrence by having Council Secretary Pilieri sign the resolution back on March 3rd so that it could be submitted to the DEP. In order for that to be effective, it requires a ratification vote of the Council at this time. If Council is of a mind, consistent with the direction from the Director of Building and Planning on March 3rd, a motion would be in order to ratify the execution of the Act 537 resolution for St. Katherine Drexel.

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

10. **CONSIDERATION OF ESCROW RELEASES FOR:**

A. Developers Request: Sperrduto – Release #1 - Revised
Location: 901 Tennis Avenue
Tax Parcel: 2-29-300 & 2-29-301
Amount: \$ 192,262.64

Engineer Wursta recommended the escrow release in the amount of \$ 192,262.64.

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

B. Developers Request: Samarpan Hindu Temple– Release #7 - Revised
Location: 2746 Mechanicsville Road
Tax Parcel: 2-36-8
Amount: \$ 275,962.70

Engineer Wursta recommended the escrow release in the amount of \$ 275,962.70.

Councilwoman Benitez motioned to approve, subject to an audit by the Finance department, **Councilwoman Champion** seconded and the motion carried 5-0.

C. Developers Request: Bensalem MZL, LLC - Release #3
Location: 1837 Street Road
Tax Parcel: 2-43-305 & 2-43-305-1
Amount: \$ 45,874.00

Engineer Wursta recommended the escrow release in the amount of \$ 45,874.00.

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

11. PUBLIC COMMENT:

Council President Knowles asked if there was anyone in the audience who would like to come forward.

Natasha Bica, 2047 Hansell Drive, had questions regarding the overgrowth along her fence and asked when the retention basin would be cleaned. **Quinton Nearon**, Senior Municipal Inspection Manager, indicated the property owner was cited and if there is no response within the time frame given, the Township will go in and clean up the overgrowth and retention basin, then lien the property for those expenses.

Coleen Rispo, 2032 Hansell Drive, complained about being on her second patio because that is how much the water runs through her yard when it rains. Questioned the timeline for the stormwater management.

Theresa Crowley, 184 Towers Road, Washington Crossing, PA questioned why the developer for the Armstrong property would put a gas station on the property so close to houses. It was explained to Ms. Crowley the developer was approved for the amenities on the property.

Michael Nush, 143 Tatum Road, asked for a follow-up regarding the trash haulers picking up before 6:00 am. Solicitor Pizzo explained the Ordinances that are in place currently don't allow for the haulers to be picking up before the specified time. It is purely an enforcement issue, complaints have been made and apparently the Township police have gone out and cited the hauler. Just like any other violation people need to report it to the Building and Planning department or the police department and they will go out and they will cite and they will enforce. There are ordinances on the books that currently regulate when you can put a trash can to the curb, when you can't, when the trash truck can pick something up and when it can't, they are already on the books.

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

12. OTHER BUSINESS:

The Mayor wished all of his Irish friends a Happy St. Patrick's Day.

Councilwoman Benítez wished everyone a Happy St. Patrick's Day and thanked everyone for coming out.

Councilwoman Champion wished everyone a Happy St. Patrick's Day, mentioned the Bensalem participants in the parade.

Council Vice President Kisselback agreed with everything Councilwoman Champion said.

Council President Knowles wished everyone a Happy St. Patrick's Day. Next Council meeting is March 28th.

13. ADJOURNMENT:

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

The Bensalem Township Council Meeting of March 14th, 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