

**BENSALEM TOWNSHIP COUNCIL  
MEETING MINUTES**

**Monday  
February 24<sup>th</sup>, 2020**

**MEMBERS PRESENT:**

Edward Kisselback, Council President  
Joseph Pilieri, Council Vice President  
Joseph Knowles, Council Secretary  
Jesse Sloane, Council Member  
Ed Tokmajian, Council Member

**ALSO PRESENT:**

Joseph Pizzo, Township Solicitor  
Aaron Kostyk – Township Solicitor  
Russell Benner, Township Engineer  
Debra McBreen, Council Clerk/Recording Secretary

**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 the microphones.**

**1. PLEDGE OF ALLEGIANCE:**

**Council President Kisselback** opened the meeting with a moment of silence or prayer which was followed by the Pledge of Allegiance.

**PRESENTATION OF AWARDS AND CERTIFICATES**

**Presented by Fred Harran, Director of Public Safety.**

**Thomas Jefferson University Recognizes Officer Michael Fleming, presented by Dr. Rosenwasser, Chair and President of the Neurological Unit:**

**Officer Michael Fleming** was called to an auto accident and identified the symptoms of a stroke happening to one of the victims and immediately called the Mobil Stroke Unit and saved the person’s life. **Director Harran** indicated it was 11 minutes from the 911 call to the CAT scan.

The **Mayor** and **Council** joined the audience in a standing ovation.

The **Mayor** explained how he and Dr. Rosenwasser created the magnets together, which Jefferson University is supplying, and will be distributed to each household in Bensalem to help identify the signs of a stroke. The magnet is labeled: **BE SAFE** any one of these signs could mean a stroke: **B**alance, watch for sudden loss of balance. **E**yes, check for vision loss. **F**ace, look for an uneven smile. **A**rm, check if one arm is weak. **S**peech, listen for slurred speech. **T**ime, call 911 right away.

**Director of EMS, Tom Topley** presented the **Honorary Life Membership** award to Commissioner Gene DiGirolamo which is the greatest award you can bestow on a member.

**Director Harran** presented certificates to **Paramedic Gina Miller** and **EMT Brian Dominik** who responded to a call regarding a nine month old baby in cardiac arrest, because of their quick lifesaving actions the baby was taken to St. Christopher’s Hospital where the baby is now doing fine and in protective custody.

The **Mayor** and **Council** joined the audience in a standing ovation.

**Director Harran** presented **Detective Gohl** with the Officer of the Year Award.

The following students were recognized as winners for the B3T Essay Contest regarding “2020 What Does Unity Mean to Me”:

<b>Erin Mulhern</b>	<b>Ayesha Siddiq</b>	<b>Rae Lynn Cusick</b>
<b>Kayla Garrison</b>	<b>Mursal Ghafary</b>	<b>Giovani Padua</b>
<b>Hadicha Azamjonova</b>	<b>Crystal Palacios</b>	<b>Ivo Braganza</b>
<b>Evelin Mariano-Bacho</b>	<b>Naara Crespo</b>	

The following organizations were recognized by B3T for their dedicated service during the Unity Week celebration from January 20<sup>th</sup> to January 24<sup>th</sup>.

<b>Parx East</b>	<b>Love Fellowship Tabernacle</b>
<b>Bensalem Presbyterian Church</b>	<b>Linconia Tabernacle</b>
<b>St. Gregorios Malankara Orthodox Church</b>	<b>Bensalem AME Church</b>
<b>Shreenathji Havel Temple</b>	<b>Mongkoltempmunee Buddhist Temple</b>
<b>Faith Unity Islamic Organization</b>	<b>Congregation Tifereth Israel Synagogue</b>
<b>St. Ephrem’s Roman Catholic Church</b>	

**Council President Kisselback** asked **Solicitor Pizzo** if there were any changes to the agenda this evening. **Solicitor Pizzo** indicated agenda 7, Millenium Properties Investments, they have been continued to the Zoning Hearing Board meeting of March 5<sup>th</sup> and suggested they be tabled to Council’s second meeting in March. **Council Vice President Pilieri** motioned to table item 7 to a date certain of March 23<sup>rd</sup>, **Council Member Tokmajian** seconded and the motion carried 5-0. **Solicitor Pizzo** indicated item #8 which is the Revised Minor Subdivision application for the Rohan Group of Companies, 2201 Street Road. The Township received word from the applicant on Friday, February 21<sup>st</sup> that they have formerly withdrawn that plan, so there is no action to be taken by Council.

**Council President Kisselback** requested Agenda Item 6, the consideration of an Ordinance amending Chapter 38, “Smoking in Public Facilities” to be moved up on the Agenda to Item

3A. **Council Vice President Pilieri** motioned, **Council Member Sloane** seconded and the motion carried 5-0.

2. **PUBLIC COMMENT:**

**Council President Kisselback** invited Public Comment on Agenda items, but no one came forward and the first of two public portions was closed.

3. **APPROVAL OF COUNCIL MINUTES:**

After corrections were noted to the Minutes of January 6<sup>th</sup>, 2020, **Council Member Tokmajian** motioned to approve the minutes as corrected, **Council Secretary Knowles** seconded and the motion carried 5-0.

After corrections were noted to the Minutes of January 13<sup>th</sup>, 2020, **Council Vice President Pilieri** motioned to approve the minutes as corrected, **Council Secretary Knowles** seconded and the motion carried 5-0.

3A. **CONSIDERATION AND PUBLIC HEARING ON AN ORDINANCE AMENDING CHAPTER 38 “SMOKING IN PUBLIC FACILITIES”, AT SECTION 2 “DEFINITIONS”, ESTABLISHING PENALTIES FOR THE VIOLATION OF SAID REGULATIONS AN EFFECTIVE DATE THEREOF:**

**Director Harran** indicated the idea of including vaping and electronic devices into the Smoking Ordinance came up at one of the B3T coalition meetings which is made up of several people throughout the township such as, members of the clergy from the houses of worship and other organizations who come to the meetings and give their ideas. **Director Harran** pointed out the dangers of the use of these devices and indicated that they are being used in conjunction with different drugs such as THC and Fentanyl. There are many different kinds of drugs being vaped which is almost undetected by the naked nose. It started off with just scents, but now a lot of illegal drugs are being used. **Director Harran** who is also the co-chair for the B3T respectfully requested council pass the Ordinance prohibiting vaping in our public parks and public areas. **Solicitor Pizzo** indicated it has been properly advertised for council’s consideration this evening and it changes no aspects as to what is currently on the books with the exception of the expansion and clarification that vaping devices, electronic nicotine delivery systems and electronic cigarettes are specifically included in those definitions. **Council President Kisselback** invited public comment, seeing no one come forward the public portion was closed. Clarification on “carrying is prohibited” was proposed by **Council Member Sloane**. **Director Harran** explained in detail what “carrying is prohibited” would be considered regarding cigarettes, vaping devices and electronic cigarettes and assured Council the police would enforce it properly. **Solicitor Pizzo** indicated **Councilman Knowles** had contacted him regarding the same question that **Councilman Sloane** had pertaining to the wordage “carrying is prohibited” and spoke with **Director Harran** for clarification. **Council Member Sloane** asked **Solicitor Pizzo** if there were any restrictions regarding the “Smoke Shops” or “Vaping Stores” as to being located near public parks or schools. **Solicitor Pizzo** replied “From a zoning perspective, no.”. **Council Vice President Pilieri** motioned to approve, **Council Member Sloane** seconded and the motion carried 5-0.

**Council President Kisselback** asked **Director Harran** to give an overview of the police officers riding on the school buses. **Director Harran** stated the police department started putting police officers randomly on school buses and conferring with the school district and the bus garage where the bus violations occur. There are some school buses that have a camera on the arm of the bus when extended that will take a picture of your license plate, the district plans on having these cameras installed on all the buses and stated within the last six months there were 25 violations. An additional 21 citations were written in school zones for people passing school buses while the arm is out. The fine is \$250.00 and five points on your driver's license and a 60 day suspension of your license.

#### 4. CONSIDERATION OF A PRELIMINARY AND FINAL LAND DEVELOPMENT:

**Applicant:** Trumark Financial Credit Union  
**Location:** 3250 Tillman Drive  
**Proposed Use:** Mixed Use  
**Zoning Classification:** PCD – Professional Commercial District  
**Tax Parcel:** 2-35-1-1

**Solicitor Mike Meginniss** with Begley, Carlin, **Jared Lowman** with Nave Newell, **Mark Roth** and **Tyler Moth** with McMann and **Kevin Murphy** on behalf of Trumark Financial Credit Union, All were sworn in. **Mr. Meginnis** stated his client was proposing to build a 6,024 sq. ft. Trumark Financial Credit Union on 3240 Tillman Drive, presently located behind the Outback Steakhouse. A conversation ensued regarding sidewalks. **Mr. Meginniss** indicated the one waiver this applicant was seeking is 196-61(b)(1) regarding the storm sewers having reinforced concrete of an 18 inch diameter, the applicant is seeking a waiver to permit 15 inch diameter. **Mr. Meginnis** noted **Mr. Benner's** review letter dated January 10<sup>th</sup>, 2020, that he had no objection to that waiver being granted. **Mr. Benner** explained the ordinance requiring the minimum pipe requirement that exist. The applicant submitted very detailed calculations to make sure the pipe is adequate in size; and adequate in size is not only to pass the water that is needed but also to make sure it doesn't surcharge or create a backwater flooding issue. **Council Member Tokmajian** questioned item number 15 of the T and M memo dated January 10<sup>th</sup>, 2020. **Jared Lowman** with Nave Newell indicated it was a plan drafting error and will correct incorrect spot elevation. A conversation ensued regarding parking. A conversation ensued regarding the removal and replacement of the trees.

**Council President Kisselback** invited public comment and the following people came forward:

**Alan Winsor**, 3232 Azalea Avenue, had an issue with no dumpster. **Council President Kisselback** asked as the engineer was reviewing the plans, if he could make an area appropriated to that specific issue whether it was put in or not. **Council Member Tokmajian** motioned to approve with the waiver of the pipe, in accordance with section 196-61 storm sewers requiring an inside diameter of 18 inches waiving that to allow a 15 inch pipe and to include the sidewalks along Tillman Drive up to the end where proposed. Also, to work together with the engineer regarding the trees and the dumpster, **Council Member Sloane** seconded and the motion carried 5-0.

5. **CONSIDERATION AND PUBLIC HEARING ON AN ORDINANCE AMENDING CHAPTER 225 “VEHICLES AND TRAFFIC”:**

**Solicitor Pizzo** indicated the Township received comments and concerns from residents regarding parking of vehicles particularly commercial vehicles on Salem Drive. The Township Traffic Safety Officer went out and performed an inspection, made a recommendation to the Administration for the placement of No Parking signs on Salem Drive from Garden Lane to the dead-end on Salem Drive. The Administration concurring with the recommendation Traffic Safety Officer directed the preparation of the Ordinance that is before Council, it has been duly advertised in the Bucks County Courier Times and is acceptable for Councils consideration this evening. **Council Member Sloane** indicated there was only one house along that tiny stretch of road and asked if the trucks belonged to the homeowners. **Solicitor Pizzo** stated the attached memorandum indicated the neighbors had been receiving complaints, as the photograph reflects there are two commercial vehicles that are parked in the street and there appears to be a third commercial vehicle in the driveway. **Council Vice President Pilieri** motioned to approve as presented, **Council Member Tokmajian** seconded and the motion carried 5-0.

6. **Moved to 3A.**

7. **CONSIDERATION OF A MINOR LAND DEVELOPMENT:**

<b>Applicant:</b>	<b>Millenium Properties and Investments LLC</b>
<b>Location:</b>	4851 Street Road
<b>Proposed Use:</b>	Parking
<b>Zoning Classification:</b>	BP – Business Professional
<b>Tax Parcel:</b>	2-4-184-1

**Tabled to a date certain of March 23<sup>rd</sup>, 2020.**

8. **CONSIDERATION OF A REVISED MINOR SUBDIVISION:**

<b>Applicant:</b>	<b>Rohan Group of Companies c/o Jignesh Padya</b>
<b>Location:</b>	2201 Street Road (The Hub at Bensalem)
<b>Proposed Use:</b>	Mixed Use
<b>Zoning Classification:</b>	R-11 (Residential)
<b>Tax Parcel:</b>	2-33-26

**Withdrawn, no action.**

9. **CONSIDERATION OF A RESOLUTION APPROVING THE DESTRUCTION OF RECORDS OF THE BUILDING AND PLANNING DEPARTMENT:**

**Solicitor Pizzo** indicated the documents that have been listed for destruction have been scanned so these are the originals, at this point, in storage boxes. The proposed destruction of

these documents are in accordance and the actual destruction itself will be in accordance with the State regulations for doing so. **Council Member Sloane** asked what the time frame for the State regulation is. **Solicitor Pizzo** indicated there are different regulations for different categories of documents most of which would be financial in nature. All of these documents, at this point in time, have been scanned into the system. Council Member Sloane stated he would prefer to keep more recent documents for 6 months to a year time frame. **Solicitor Pizzo** indicated in his 25 years of representing the Township, the Township generally is not in a hurry to dispose of records that it finds to be of value or importance or is otherwise legally needs to obtain. To the extent that the Director of the Building and Planning Department had indicated all of these documents have been scanned into the system the Township has been using since the technology arrived and began being used for this purpose by the township, coupled with the fact he says he doesn't need the originals, coupled with the fact he says the originals are taking up space in his department. Solicitor Pizzo indicated Council can rely on those bits of information from the Director of Building and Planning the destruction of records is not problematic but is necessary and recommended. Council Vice President Pilieri motioned to approve the destruction of records, **Council Secretary Knowles** seconded and the motion carried 4-1.

**10. CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO SUBMIT THE INTERGOVERNMENTAL BUSINESS PARTNER AGREEMENT TO PENNDOT:**

**Solicitor Pizzo** indicated he did not have an opportunity to go over this document with Mr. Cmorey before this evenings meeting. Solicitor Pizzo did go over the agreement and indicated it appears to be acceptable for Councils consideration and signature. **Engineer Benner** indicated in general, what this allows is PennDOT has an ECMS System where it essentially allows you to conduct business with them whether it be plan reviews for construction projects, bidding projects, and, as an example, the Route 13 Streetscape project, PennDOT was bidding that through a Grant process, when you would get done with your documents you would upload those documents onto the ECMS System, PennDOT can review them and return back comments. What **Engineer Benner** believes to be necessary with this Resolution is you have to agree to be a Business Partner, from a standpoint, with PennDOT to be able to allow the Township to join the ECMS System. As an example, T and M Associates does a lot of business with PennDOT, uploads documents, and goes out to bid. T and M Associates is a business partner with PennDOT which allows them access to the ECMS System. **Council Vice President Pilieri** motioned to approve, **Council Member Sloane** seconded and the motion carried 5-0.

**11. CONSIDERATION OF AN ESCROW RELEASE:**

<b>Developers Request:</b>	<b>NKK, LLC AKA Candlewood Suites – Release #2</b>
<b>Location:</b>	3908 Old Street Road
<b>Tax Parcel:</b>	1-32-1 and 2-11-29
<b>Amount:</b>	<b>\$ 45,037.25</b>

**Quinton Nearon, Township Principal Inspector**, addressed Councils questions and concerns. **Council Member Sloane** motioned to approve as presented subject to an audit by the Finance Department. **Council Member Tokmajian** seconded and the motion carried 5-0.

12. **CONSIDERATION OF AN ESCROW RELEASE:**

**Developers Request:** Ivy State Road – Release #1  
**Location:** 3750 State Road  
**Tax Parcel:** 2-79-9-4, 2-79-9-52-79-9-6, 2-79-10, 2-80-28  
**Amount:** \$ 2,468,376.00

**Quinton Nearon, Township Principal Inspector**, addressed Councils questions and concerns. **Council Secretary Knowles** motioned to approve as presented subject to an audit by the Finance Department. **Council Vice President Pilieri** seconded and the motion carried 5-0.

13. **PUBLIC COMMENT:**

**Council President Kisselback** invited public comment but no one came forward and the second of two public comment portions was closed.

14. **OTHER BUSINESS:**

**Solicitor Pizzo** would like to congratulate and wish good luck to the Bensalem Boys Basketball Team and the Bensalem Mock Trial Team who won the District Title and are now moving on and will compete in the Regionals and if they are successful there, they will move on to the States.

**Council Member Sloane** congratulated Officer Schwarting and his K-9 Bowie for their success in competing in “Americas Top Dog “. Also, the County is employing a new voting machine and there will be a demonstration this Wednesday night from 5:00pm to 8:00pm. There will be three elections this year, one is a special election for State Representative, the Primary in April, and the general election in November. The old Korman apartments on Street Road, there were No Parking Signs approved for the intersection at Brookwood Drive, but now am being told the whole length of Brookwood Drive is being looked at. **Quinton Nearon, Township Principal Inspector**, indicated the whole length of Brookwood is being looked into by Fred Harran and Ken Farrall regarding an old ordinance.

**Council Vice President Pilieri** our Flyers are doing very well and are 3 points out of first place, the Phillies hit 3 home runs in one inning today, looks like we are going to have some fun this summer. Maybe the Stanley Cup for the Flyers and a World Series for the Phillies....one can dream, YEAH TEAM!!!

**Council Member Tokmajian** Congratulated Officer Schwarting. Thanked the B3T for putting together the Unity Week pamphlet and also congrats to the essay contest winners. Congratulations to those who received awards and/or accommodations this evening. Good luck to the BHS Basketball Team. A lot of great things coming out of Bensalem High School such as the Mock Trial, which Councilman Tokmajian’s son is on.

**Council Secretary Knowles** congratulated the BHS Basketball Team. The Mock Trial at BHS does a tremendous job, congratulations. Happy St. Patrick's Day.

**Council President Kisselback** asked **Solicitor Pizzo** if there was any additional information regarding Joe Connelly and his property. **Solicitor Pizzo** spoke regarding the boundary dispute and the matter had been in front of the Bucks County Court of Common Pleas. **Quinton Nearon** addressed Council's concerns. **Solicitor Pizzo** stated the Township cited the Popli property and continued to update Council on the property. **Council President Kisselback** congratulated all the recipients this evening. Congratulations to Officer Schwarting and Bowie. Council will be recognizing St. Ephrems Basketball Team, who were Regional Champion, at a future Council meeting. Set your clocks forward on March 8<sup>th</sup>. A special Jewish holiday, Purim, is Monday March 9<sup>th</sup> so the next council meeting is Tuesday, March 10<sup>th</sup>. March 17<sup>th</sup> two things are happening, St. Patrick's Day and a special election for State Representative.

**17. ADJOURNMENT:**

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

The Bensalem Township Council Meeting of February 24<sup>th</sup>, 2020 can be viewed in its entirety at the following websites:

[www.bensalempa.gov](http://www.bensalempa.gov)

or

[www.youtube.com](http://www.youtube.com)

**Respectfully Submitted,**

**Debra F. McBreen**  
**Recording Secretary**