

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

Monday 7/23/18

MEMBERS PRESENT:

Joseph Pilieri, President
Ed Kisselback, Secretary
Jesse Sloane, Member
Ed Tokmajian, Member

ALSO PRESENT:

Mayor Joseph DiGirolamo
Ron Gans, Township Engineer
Joseph Pizzo, Solicitor
Lauren Gallagher, Solicitor
Debora McBreen, Council Clerk
Cindy Terlecki, Recording Secretary

ABSENT:

Joseph Knowles, Vice President

1. PLEDGE OF ALLEGIANCE:

Council President Pilieri opened the meeting with a moment of silent meditation and the Pledge of Allegiance to the flag.

2. PUBLIC COMMENT:

Pilieri asked if anyone from the audience wanted to speak on any agenda items, no one came forward and public comment was closed.

Pilieri asked **Pizzo** if there were any changes to the Agenda and **Pizzo** said that #10 and 11, a lot consolidation plan and final land development for Ivy State Road Property requested to be tabled until the Council meeting of 8/13/18, **Tokmajian** motioned to table and **Kisselback** seconded, motion carried 4-0. **Pizzo** also said the Council, the **Mayor**, himself and **Fred Harran**, Director of Public Safety met in Executive Session prior to the Council Meeting. The items discuss were personnel, a public safety issue, and pending and potential litigation, no official action was taken.

3. APPROVAL OF COUNCIL MEETING MINUTES:

Sloane motioned to approve the minutes of 7/9/18 as amended, **Tokmajian** seconded, motion carried 4-0.

4. **RECOMMENDATION OF NEW SENIOR ADVISORY BOARD MEMBER:**

The **Mayor** recommended Joseph “Buzz” Ebner as a potential candidate for the Senior Advisory Board. **Sloane** asked if someone resigned and **Mayor** said yes, **Sloane** thanked the **Mayor** for forwarding Mr. Ebner’s resume to him. **Tokmajian** said that earlier in the year he had put forth requirements for the board, **Pilieri** said that would be brought up with Other Business. **Kisselback** motioned to approve and **Pilieri** seconded, motion carried 4-0.

5. **CONSIDERATION OF ORDINANCE:**

Consideration of an ordinance amending the Township Code to modify the definition of “Contractor” **Pizzo** said this deals with A, B & D of the ordinance regarding tree trimmers and removers, and defines what a tree trimmer in Section C is, the purpose of the change is protection for the homeowner. If the contractor is not licensed it puts the homeowner at risk. Contractors with license will need 1 million in liability insurance, in wake of the winter storm we just experienced, this is necessary. There are people out there without licenses and insurance doing work putting homeowners at risk. **Pizzo** said this ordinance has been properly advertised. **Sloane** asked if this would include landscapers and **Pizzo** said yes, they are already included. **Sloane** said this is a lot to put on small businesses, the way the ordinance is written concerns him, that if a tree is over 3 foot heavy equipment is required to complete the task. **Pizzo** said the people who come to cut your grass do not need a contractor license. **Pilieri** asked about changing the tree height and **Pizzo** said if it’s just grass cutting it is not part of the ordinance **Sloane** said to change the ordinance to a tree over 8 foot, **Tokmajian** agreed and motioned to approve with the revision of a tree over 8 foot, **Kisselback** seconded, motion carried 4-0.

6. **CONSIDERATION OF A RESOLUTION:**

Consideration of a resolution regarding a Nonexclusive Video Sharing Agreement made by and between the Commonwealth of PA acting through the Department of Transportation and Bensalem Township. **Pizzo** said that there are various cameras installed by Penndot and they require whomever they share the video with will need to enter into an agreement. **Pizzo** said the standard Penndot agreement will expand outside the Public Safety. **Tokmajian** asked if there would be a restriction on who would have access to this and what about the right to know law. **Pizzo** said that there is no reason this agreement would not be a public document, **Pilieri** asked if anyone from the audience wanted to speak and no one came forward, **Sloane** motioned to approve and **Tokmajian** seconded, motion carried 4-0.

7. **CONSIDERATION OF A RESOLUTION:**

Bensalem Greenway End Segments, **Tony Belfield**, chairman of the Bensalem Environmental Advisory Board said there are two grant applications for submittal. The first grant is in the amount of 2.8 million. The trail segment linking Bensalem and Bristol Townships will go through the Neshaminy State Park, following State Road. The trail segments linking Philadelphia and Bensalem will also follow the State Road alignment. **Tokmajian** thanked **Belfield** for his work on this and **Belfield** said that if awarded by December 2018 it will be a no match. **Tokmajian** is concerned the Township would have

a 30% match, **Belfield** said the Township is not obligated to accept the grant. **Sloane** said we should amend the resolution to say the Township would not match and find other grants. **Pileri** thanked **Belfield** for all his help with the community.

8. **CONSIDERATION OF A RESOLUTION:**

State and Station Pedestrian Improvements, this is the second grant application for the linkage of the Cornwells Train Station to State Road and the East Coast Greenway. This trail segment will follow the alignment of Station Avenue and State Road. The amount of the grant is under 2 million dollars. **Belfield** said we are asking a “no match” subject to submission before December 2018. **Pileri** again thanked **Belfield** for his help in the community. **Pizzo** said he is concerned about amending the language in the resolution, this could restrict where matching funds are coming from. **Belfield** said that once the grant is approved you are not committing yourself to any money. **Pileri** agreed with **Belfield** to leave the resolution as it is, **Sloane** wanted to delete the sentence “the Township will fund the balance of the design costs as initial project match”. **Belfield** said there is no other way to submit this, Council could deny it if they choose to, **Pileri** noted that this is just to apply for the grant. **Sloane** asked if the resolution came from the Commonwealth and **Belfield** said yes, application language is part of the packet to be submitted. **Kisselback** said this is a project we are all in favor of, **Mayor** said this debate right now would carry on if we get the grant. **Kisselback** motioned to approve both grants # 7 & 8, State and Station Pedestrian Improvements and Bensalem Greenway End Segments, **Tokmajian** seconded, motion carried 4-0.

9. **CONSIDERATION OF MINOR LAND DEVELOPMENT:**

Applicant:	Millennium Properties & Investments, LLC
Location:	4851 Street Road
Proposed Use:	Office and Parking Lot
Zoning Classification:	BP – Business Professional
Tax Parcel:	2-4-184-1

Pizzo said this was before Council at their last meeting but had to be continued because the notices were incomplete. **Terry Chong** gave the notices to **Pizzo** and he said they were in order, there were four letters mailed to surrounding property owners and they were in order. **Gans** said the latest date that appears on the plan is 11/20/14. **Chong** proposes to convert the existing dwelling into Business Professional use. Referring to **Gans** letter of 3/15/18, nine parking spaces are proposed as well as a stormwater management area and two driveway accesses. There was discussion regarding variances given and variances needed under zoning and waivers requested under land development by several of the Council members. **Pizzo** said Lawrence Byrne, the engineer for this project was copied on the letters from Fire Rescue, Traffic Planning, O’ Donnell & Naccarato, and BC Planning. **Gans** suggested meeting with **Chong’s** engineer to answer questions. **Pizzo** said this will need to go to Zoning and they meet in September, this should be tabled to September or October and a written extension of time will be needed. **Pileri** said he would prefer the plan be cleaner, **Chong** said he would want to start from scratch and withdrew his application. **Pizzo** said the Township will not take action and this will be submitted at a later time. **Chong** asked if his engineer should attend the next meeting and **Gans** and **Pizzo** said yes. No action was taken on this.

Pilieri called for a 5 minute recess.

10. **CONSIDERATION OF LOT CONSOLIDATION PLAN:**

Applicant: Ivy State Road Property, LLC
Site Information: 3750 State Road
Proposed Use: Warehouse Building
Zoning Classification: G-1 General Industrial
Tax Parcel: 2-2-79-9-4, 79-9-5, 79-9-6, 79-10 and 2-80-28

Tabled until 8/13/18

11. **CONSIDERATION OF FINAL LAND DEVELOPMENT:**

Applicant: Ivy State Road Property, LLC
Site Information: 3750 State Road
Proposed Use: Warehouse Building
Zoning Classification: G-1 General Industrial
Tax Parcel: 2-2-79-9-4, 79-9-5, 79-9-6, 79-10 and 2-80-28

Tabled until 8/13/18

12. **CONSIDERATION OF PRELIMINARY AND FINAL LAND DEVELOPMENT:**

Applicant: Bensalem Village Condominium Association
Location: 1068 Byberry Road
Proposed Use: Single Family Dwelling
Zoning Classification: R-3 Residential
Tax Parcel: 2-94-56

Wes Plaisted from Tri State Engineers spoke on behalf of the applicants and referred to **Gans** letter of 3/8/18, the plan proposed to create 4 lots for future single-family dwellings. Three lots will have frontage on Byberry Road and the fourth lot will be dedicated to Bensalem Township and will be completely wooded. **Gans** letter states that this is a subdivision and not land development. This subdivision would be for the Condo Association to use the money for improvements at Bensalem Village. **Kisselback** said it looks like a good plan and **Pizzo** said the proof of publication is in order. **Jeff Nowak**, representative from Bensalem Village, said they have had some inquiries to buy the parcels but can't do anything until Council approves subdivision. **Tokmajian** asked if there were any environmental issues, **Gans** said there are no wetlands where the homes would be built, and **Pizzo** said there was no environmental assessment done. **Pilieri** asked if anyone from the audience wanted to speak on this and the following people came forward:

Craig Kelly- 5053 Bensalem Boulevard said there is a creek next to his house and wanted to know if this would affect his property, **Gans** said this would be addressed at the Land Development phase.

Joan Guzzardo – 5111 Bensalem Boulevard said she is concerned about the traffic at the traffic light at the intersection of Bensalem Boulevard and Byberry Road if the homes are built.

Bernard Patton – 1073 Byberry Road lives across the street from where these homes will be built and he is worried about the traffic and wildlife, **Pizzo** noted that 6 acres of woodland would be preserved.

Ken Frightet – came forward and said he was interested in buying the lots since they are attached to his property, and he would preserve them just the way they are.

No one else came forward and Public Comment was closed.

Tokmajian asked what the value of the homes would be and **Howard Salomon**, from Bensalem Condo Association said around \$300,000 to \$350,000 but doesn't have a value price yet. **Tokmajian** said he is concerned about the wetlands and **Gans** said they will be addressed at Land Development. **Sloane** asked about talking to prospective buyers, **Nowak** said they are not developers and would have to talk to the residents of Bensalem Village for them to sign off on this.

Marc Cohen- 637 Yates Court said he hopes the money would be used to upgrade Bensalem Village and appreciates the support of Council. **Sloane** asked about the association selling this land and **Nowak** said they need the 281 residents of Bensalem Village to sign off. **Kisselback** said if they had an offer, would they present it to the residents and **Nowak** said they need 80% of the residents to approve. **Salomon** said they would start entertaining offers, **Pilieri** asked if they wanted to come back before Council when all 5 Council Members were present. **Nowak** said they would come back, they have had this property for 40 years, and they cannot accept an offer until they get approval. **Slone** said he didn't think this is a good fit for the area. **Kisselback** said he is willing to vote on this now, **Nowak** said they would wait till full council is there. **Pizzo** said since the applicant is asking Council to recess this the applicant granted an extension of time and **Kisselback** voted to approve an extension and **Tokmajian** seconded, motion carried 4-0.

13. **PUBLIC COMMENT:**

Vincenzo Velluci – 4829 Street Road and 3065, 3046, and 3056 Clark Avenue said there is a flooding issue. **Gans** said he will investigate the drainage from Street Road, **Pilieri** said this is why he wants curbs on the property.

Allan Windsor – said he knows the area and sees flooding, the Environmental Advisory Board has asked for bigger basins. **Pilieri** said **Gans** will look into this and he added he appreciates what the EVB does. No one else came forward and Public Comment was closed.

14. **OTHER BUSINESS:**

Sloane – asked if the **Mayor** would look into recycling at the Township parks. The **Mayor** said they have been looking into it and have a written report. **Sloane** also asked about the Residency Ordinance and **Pilieri** said that **Pizzo** is revising it, there are 3 different unions that are involved, and **Pizzo** said that Council can repeal the ordinance. **Pilieri** said that the Road Department employees are a concern, if there is a bad snow storm and they live 30 miles away that is problematic.

Tokmajian – said the traffic light at Hulmeville and Galloway Road is in need of a left turn signal, and Hidden Valley needs striping at the stop signs for pedestrians to cross safely.

Pizzo – said the information will be given to the Public Works Department.

Tokmajian – asked about financial issues at Waterside and **Pizzo** said the project was under an agreement of sale, **Tokmajian** asked about public improvements and **Pizzo** said that the Township has escrow money. **Tokmajian** asked if information could be provided on the Township Board members, he is looking for comments or suggestions.

15. **ADJOURNMENT:**

The next Council meeting is scheduled for 8/13/18

Respectfully Submitted,
Cindy Terlecki 