

**BENSALEM TOWNSHIP COUNCIL
COUNCIL MEETING MINUTES**

**Monday
June 24th, 2024**

MEMBERS PRESENT:

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

SUPPORTING PERSONNEL:

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

1. OPENING OF THE MEETING:

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

2. INTRODUCTION OF COUNCIL MEMBERS, MAYOR AND STAFF:

Council Vice President Knowles introduced the Supporting Staff and Council Members.

3. PUBLIC COMMENT:

Council Vice 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.

4. **APPROVAL OF COUNCIL MINUTES:**

Councilwoman Benitez motioned to accept the Council Meeting Minutes from May 20th, 2024 as presented. **Council Secretary Champion** seconded and the motion carried 3-0-1.

5. **COUNCIL CONSIDERATION OF MAYOR’S RECOMMENDATION TO THE VETERANS ADVISORY BOARD:**

Council Secretary Champion motioned to approve Ms. Sagen Patton to the Veterans Advisory Board. **Councilwoman Benitez** seconded and the motion carried 4-0.

6. **CONSIDERATION AND PUBLIC HEARING ON AN ORDINANCE VACATING AND ABANDONING A TEN-FOOT ALLEY ON CLOVERNOOK AVENUE BETWEEN BUCKS COUNTY TAX MAP PARCEL 02-061-179 AND BUCKS COUNTY TAX MAP PARCEL 02-061-184:**

Solicitor Pizzo indicated that he had anticipated someone representing the entity applying for the vacation would be present this evening. The property owners on either side of the property would still have an interest regarding the alley being vacated. There is no indication that they have been made aware or in agreement. **Solicitor Pizzo** recommended that this item be tabled.

Councilwoman Benitez made a motion to table Agenda Item 6 regarding Tax Map Parcel 02-061-179 and Tax Map Parcel 02-061-184 to a date certain of July 8th, 2024. **Council Secretary Champion** seconded and the motion carried 4-0.

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

Applicant:	Charles Woelk
Location:	1430 Lavender Road
Proposed Use:	Residential 4 Singles
Zoning Classification:	R-2 Residential
Tax Parcel:	02-032-185

- A. Land Development Improvements Agreement
(4) Executed copies to be signed by Council upon consideration.
- B. Stormwater Best Management Practices Operations & Maintenance Agreement
(4) Executed copies to be signed by Council upon consideration.
- C. Deed of Dedication – Rights-Of-Way
(4) Executed copies.

Solicitor Pizzo indicated that Council had approved the Preliminary and Final Subdivision back in March of 2022. These are the Land Development Agreements associated with that approved plan. They have been prepared by the office of Rudolph Clark and Associates and have been signed by the developer and are in a form acceptable for Council consideration an approval. All fees associated with these agreements have been posted with the Township.

Council Secretary Champion motioned to consider the signing of the Agreements for Charles Woelk located at 1430 Lavender Road, TMP 02-032-185. **Solicitor Pizzo** indicated that there is the Deed of Dedication for Council consideration along with the other Agreements. **Council Secretary Champion** amended her motion to include the Land Development Improvements Agreement, Stormwater Best Management Practices Operations Maintenance Agreement and the Deed of Dedication – Rights-Of-Way. **Councilwoman Benitez** seconded and the motion carried 4-0.

8. **CONSIDERATION OF A RESOLUTION FOR ACT 537, PA SEWAGE FACILITIES ACT, PLAN REVISION FOR A PARCEL OF LAND IDENTIFIED AS 1000 IMPERIAL COURT INDUSTRIAL FACILITY:**

Solicitor Pizzo indicated whenever a Building Permit is issued by the Township that results in a change of use that may change the amount of sanitary usage associated with the project it is required that the Township approve an amendment to Act 537 Plan that is done by way of the Resolution which is the standard form Resolution that is required by the Pennsylvania Department of Environmental Protection. It has been reviewed by the Building and Planning Department and by the Township Engineer and is in a form acceptable for Council consideration and approval.

Councilwoman Benitez indicated that the memo dated February 8th, 2024 from the Bucks County Water and Sewer noted that they were advising the drainage area is currently under a hydraulic overload condition. Projects with this drainage area are not eligible for Pennsylvania Department of Protections exemptions. It is Councilwoman Benitez’s understanding that this is part of the standard practice and this will allow them to go to DEP in order to follow the next step in this process and get further approval through them.

Solicitor Pizzo indicated that was correct. In order for the applicant to get relief from DEP under the Moratorium and Capacity Management Plan that is in place for the Neshaminy Interceptor it first requires the Township’s approval to the amendment to the Act 537 Plan.

Councilwoman Benitez motioned to approve the Resolution for Act 537 PA Sewage Facilities Act Plan Revision for a parcel of land identified as 1000 Imperial Court Industrial Facility. **Council Secretary Champion** seconded and the motion carried 4-0.

9. **CONSIDERATION OF A LAND DEVELOPMENT EXTENSION AGREEMENT FOR:**

Applicant:	Faith Unity, Inc.
Site Information:	Richlieu and Galloway Roads
Tax Parcel:	02-001-055-002

Stanton C. Kelton, III Solicitor for the applicant updated Council with some of the progress of Phase 1. The applicant is optimistically looking towards the completion of Phase 1 by August or September 2024. This project has two Phases, the second Phase is regarding the back of the property and are looking for a one-year extension because they cannot get this project done by July 25th 2024.

Councilwoman Benitez motioned to approve the Extension Agreement for Faith Unity, Inc. located at Richlieu and Galloway Roads, Tax Map Parcel 02-0041-055-002. **Council Secretary Champion** seconded and the motion carried 4-0.

10. CONSIDERATION OF ESCROW RELEASES:

A. Developers Request: Raising Cane’s – Release #2 - Revised
Location: 3617 Horizon Boulevard
Tax Parcel: 02-002-018-028
Amount: \$69,136.43

Quinton Nearon, Senior Municipal Inspection Manager, indicated they were closing out the project. There were minor landscape issues which have been revised and approved as well as some questions concerning the stormwater inlets which have also been approved. Mr. Nearon is recommending the release of \$69,136.43.

Council Secretary Champion motioned to approve the Escrow Release #2 – Revised for Raising Cane’s subject to an audit by the Township Finance Department. **Councilwoman Benitez** seconded and the motion carried 4-0.

B. Developers Request: Gibson Holdings, LLC – Release #4
Location: 1515 Gibson Road
Tax Parcel: 2-54-5
Amount: \$24,630.00

Quinton Nearon, Senior Municipal Inspection Manager, indicated Gibson Holdings, LLC, located at 1515 Gibson Road had recommended the release of \$24,630.00. There still were some issues that needed to be attended to and the Township has held back those funds until they have been completed.

Council Secretary Champion motioned to approve the Escrow Release #4 for Tax Map Parcel 2-54-5 for Gibson Holdings, LLC in the amount of \$24,630.00 subject to an audit by the Finance Department. Councilwoman Benitez seconded and the motion carried 4-0.

11. PUBLIC COMMENT:

Council Vice President Knowles asked if there was anyone in the audience who would like to come forward. The following came forward:

Rebecca Colagreco, 22 Pinzon Avenue, Havertown, PA, presented a Keystone Receipt dated 04/03/2023 and indicated that she could not find a current receipt. Mrs. Colagreco asked for assistance in clearing up the Delinquent Earned Income Tax notice she received, dated 04/03/2023, in the amount of \$1,600.00, which has been paid.

Council Vice President Knowles asked Mrs. Colagreco to give the Township Clerk her information and the Deputy Director of Administration, John Chaykowski, would contact Keystone to acknowledge if it has been paid.

Solicitor Pizzo indicated pursuant to the State Income Tax Laws there is a single Earned Income Tax Collector for the entire County. It is not chosen by the Township or by the voters it is a Company that is chosen by the County. The Township does not have an involvement on a day-to-day basis with the collection of the Earned Income Tax, similar to Real Estate Taxes, those are all handled by the elected Tax Collector. The Township will get together with the Deputy Director of Administration and may have to bring in Mrs. Colagreco as well because certain aspects of her tax records are private. Solicitor Pizzo asked Mrs. Colagreco to please give the Township the opportunity to take a look and see where the disconnect is and we will get in touch with Mrs. Colagreco tomorrow to let her know what the Township has found.

Council Vice President Knowles indicated to Mrs. Colagreco that the Township will try to make sure that this has not affected her in a negative way. Mr. Chaykowski will investigate these claims and the Township will be in touch.

Brandon Mattingly, 2719 Hulmeville Road, placed a bucket of golf balls in front of Council and explained that he lives across the road from the Bensalem Township Country Club. Mr. Mattingly has contacted the Country Club who said it is the golfer's responsibility not theirs for any damage done by a golf ball to Mr. Mattingly's property.

The Mayor indicated that he is well aware of the problem and is rectifying it by having the hole moved.

Donna Sponheimer Smith, indicated that Mr. Mattingly is her son-in-law and has been there when the golf ball comes flying over from the golf course. Someone is going to get seriously hurt and something needs to be done about it.

Marasol Papon, 908 Langstroth Lane, lives directly across from the Katherine Drexel Property and indicated that there is a lot of theft and vandalism being done to the property. Mrs. Papon indicated that at 6:00 am she sees drug dealers coming out of the Katherine Drexel Property.

The Mayor indicated that he was well aware of the activity and was going to inform the property owners that they need to have 24-hour security on their grounds.

Peyton Thomas, Cornwells Elementary School, D.A.R.E. contest winner. During the D.A.R.E. Program Peyton learned what was in a cigarette and why drugs and alcohol are bad for you and how it could affect your body. Peyton also learned how many people die a year from drugs, alcohol and cigarette use.

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

12. **OTHER BUSINESS:**

Solicitor Pizzo had two matters of litigation that he needed to brief Council on and asked for an Executive Session immediately following tonight's meeting. No official action will be required.

The Mayor wished everyone a Happy 4th of July and was very concerned about the constituent's complaints this evening and will be looking into every one of them for some answers.

Councilwoman Benitez wished her daughter, Giana, a Happy 18th Birthday. The nation is celebrating 248 years of independence, in two years it will be 250 years and that is pretty huge.

Council Secretary Champion wished everyone a Happy 4th of July. Wished her daughter a Happy Sweet Sixteen. Ms. Champion is very proud of all the hard work put in by everybody regarding the Fire Company consolidation. Is looking forward to new things and indicated we have some of the best First Responders in the state between Police, Fire and EMS.

Council Vice President Knowles wished everyone a Happy 4th of July.

13. **ADJOURNMENT:**

With no other business to conduct, the meeting was adjourned.

The Bensalem Township Council Meeting of June 24th, 2024 can be viewed in its entirety at the following websites:

www.bensalempa.gov

or

www.youtube.com

Respectfully submitted,

Debra F. McBreen
Recording Secretary/Council Clerk