

**BENSALEM TOWNSHIP COUNCIL
COUNCIL MEETING MINUTES**

**Monday
November 25th, 2024**

MEMBERS PRESENT:

Ed Kisselback, Council President
Joseph Knowles, Council Vice President
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
Kenneth Ferris, Solicitor
Philip 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 President Kisselback opened the meeting with a moment of silence and/or prayer, followed by the Pledge of Allegiance.

2. INTRODUCTION OF COUNCIL MEMBERS AND STAFF:

Council President Kisselback introduced the Mayor, Supporting Staff and Council Members.

Director William McVey distributed awards to the Police Department, Fire Department and civilians who through their heroic and courageous acts prevented serious injury to people and saved lives.

Bensalem Township Police Department, Outstanding Service Award:

Officer Daniel Orth

On October 26th, 2024, **Officer Daniel Orth** stopped a Mazda for a vehicle code violation. Due to the heavy tint on the windows, **Officer Daniel Orth** conducted a passenger-side approach of the vehicle. The driver began yelling irately from the driver's window and contesting **Officer Daniel Orth** traffic stop. **Officer Daniel Orth** asked the driver to put the tinted window down. The irate driver refused. **Officer Daniel Orth** maintained a tactical position as the driver repeatedly tried to dictate the traffic stop. When backup Officers arrived, the driver was distracted enough that **Officer Daniel Orth** was able to observe an "AK"-style firearm next to the driver. After several minutes, the irate driver began to comply and exit the vehicle. Once out of the vehicle, the driver was placed into custody. **Officer Daniel Orth** successfully de-escalated the encounter. Inside the vehicle was an "AK"-style firearm with a banana-style magazine that was loaded with 23 rounds and an obliterated serial number which is commonly done by criminals in an attempt to stop firearms being traced back to them. An additional AR-15 rifle along with multiple rounds of ammunition, a black mask, and black clothing were also recovered inside the vehicle.

Due to **Officer Daniel Orth's** intelligent and brilliant execution of Police skills resulting in an outstanding arrest without the application of force, **Officer Daniel Orth** is hereby recognized with the *Bensalem Township Police Department Outstanding Service Award*.

Recognition of bravery, dedication and selflessness during a fire call:

Assistant Chief Steven Enigson Firefighter Elijah Williams Officer Patrick Treadwell

On March 16th, 2023 at 11:47pm, Bensalem Fire Companies and Bensalem Police Department were dispatched to 767 Kings Lane in the Andalusia section of Bensalem Township for a reported dwelling fire.

Officer Patrick Treadwell arrived prior to the Fire Department and forced open the rear door and made verbal contact with the occupant. **Officer Patrick Treadwell** attempted to make entry but was unable due to the heavy smoke condition. When the Fire Department arrived, **Officer Patrick Treadwell** was able to provide information to the firefighters of the occupant's location.

In an attempt to locate and rescue the occupant, **Assistant Chief Steven Enigson** entered through a bathroom window and **Firefighter Elijah Williams** entered through the front door. Both responders found the occupant in the bathroom at the same time. They worked tirelessly as a team to remove the occupant from the confined area of the bathroom through the small window to awaiting crews outside.

The quick and decisive actions of **Police Officer Patrick Treadwell, Firefighter Elijah Williams,** and **Assistant Chief Steven Enigson** are a testament not only to their courage but also to the countless hours of training they have committed to protect the lives and property of Bensalem Township residents. Their exceptional actions bring credit to themselves, the legacy Cornwells Fire Company, and the Bensalem Township Department of Public Safety.

Bensalem Civilian Life Saving Award:

Maxim Radziuk and Justin Brown

On July 7th, 2024 **Maxim Radziuk and Justin Brown** were working as lifeguards at the Franklin Commons Apartments located on Park Avenue in Bensalem Township. While on duty, **Maxim Radziuk and Justin Brown** pulled a four-year-old, Autumn Davis, from the pool, and she was unresponsive. Once out of the pool, **Maxim Radziuk and Justin Brown** began CPR. During the CPR process, Autumn began to cough up water and began breathing on her own. Autumn was transported to a local hospital for further evaluation.

Due to their training, situational awareness, and quick actions, they saved Autumn's life, and she has recovered. **Maxim Radziuk and Justin Brown** were recognized with the Bensalem Township Police Department Civilian Life Saving Award.

Lower Southampton Recognition of the Bensalem Township Police Department:

Kim Koutsouradis, Chairman of Lower Southampton Township and Steven Castle, Vice Chairman of Lower Southampton Township, along with the Three 6 Nine Motorcycle Club.

Mr. Koutsouradis indicated that over the last five years the Bensalem Township Police Department has gone above and beyond to help Lower Southampton Township and numerous motorcycle clubs do a "Back the Blue" rally that leaves from the Bensalem Township Municipal grounds.

Mr. Koutsouradis presented Bensalem Township with Proclamation – Resolution 2024-38 and Proclamation – Resolution 2024-39.

Mr. Castle indicated that they were honored as a neighboring Township that they could bring out the wonderful neighbors that Bensalem has been to Lower Southampton. Mr. Castle was born and raised in Bensalem, he is a "Belmont Hills" boy and a proud graduate of Bensalem High School Class of '78. Mr. Castle served for 10 years in the Trevoise Fire Company and got into law enforcement and served side-by-side with a lot of the officers of Bensalem Township.

Joey D, President of the Three 6 Nine Law Enforcement Motorcycle Club indicated that on behalf of the club they would like to extend their gratitude and appreciation to Mayor Joseph DiGirolamo, the Director of Public Safety, William McVey and Lieutenant Bugsch for the Bensalem Motor Patrol and the other surrounding municipalities for their continued involvement for the last 5 years of the "Back the Blue" Motorcycle rally by escorting hundreds of motorcycles every year safely from the Bensalem Police Department to the Russell Elliott Park in Southampton. Due to professional discipline training and dedication toward this event makes it a flawless well-oiled machine. Without the support from Bensalem Township this event would not exist and the club thanks you.

3. PUBLIC COMMENT:

Council President Kisselback indicated the Public Comment will be heard at the time the agenda item is heard.

Council President Kisselback asked Solicitor Pizzo if there were any changes to the agenda.

Solicitor Pizzo indicated that Agenda Item #5, the Lot Line Change for Ken Fleck- Fol Pen2 which was tabled to a date certain of this evening. The rezoning portion of the application was not advertised in time for this evenings meeting. At the behest of the Township and not the applicant, the item will be moved forward to the Council agenda for December 16th which will allow for the opportunity for the proposed rezoning to be properly advertised.

Council Vice President Knowles motioned to table Agenda Item #5, Ken Fleck – Fol Pen2, 2975 Galloway Road to a date certain of December 16th, 2024. **Councilwoman Benitez** seconded and the motion carried 4-0.

Solicitor Pizzo indicated Agenda Item #10 the consideration and approval of a Settlement Agreement for a parcel of land located at 2600 State Road. This was requested to be on the agenda with the hopes that the Settlement Agreement would be finalized. A few last-minute T's need to be crossed and I's need to be dotted to bring it back before Council on December 16th, 2024.

Councilwoman Benitez motioned to table Agenda Item #10 the consideration and approval of a Settlement Agreement for a parcel of land located at 2600 State Road to a date certain of December 16th, 2024. **Council Vice President Knowles** seconded and the motion carried 4-0.

Solicitor Pizzo indicated that Agenda Item #3, Public Comment, is only limited to those items that are on this evening's printed agenda. Public Comment on any non-agenda items will come after Council has gone through the agenda.

4. **APPROVAL OF COUNCIL MINUTES:**

Councilwoman Benitez motioned to approve the Council Minutes from October 28th, 2024 as presented. **Council Vice President Knowles** seconded and the motion carried 4-0.

5. **CONSIDERATION OF A LOT LINE CHANGE FOR:**

Applicant:	Ken Fleck – Fol Pen2
Location:	2975 Galloway Road
Proposed Use:	Foley Cat Lot Modification
Zoning Classification:	GI – General Industrial & LI – Light Industrial
Tax Parcel:	02-033-066-007, 02-033-066, 02-033-066-004 and 02-033-066-003

This item was tabled by a previous motion.

6. **CONSIDERATION OF A LAND DEVELOPMENT EXTENSION AGREEMENT:**

Applicant:	Guy and Deborah Dalfo
Site Information:	Bristol Road & Palm Avenue
Tax Parcel:	02-018-003

Solicitor Pizzo indicated the public improvements are supposed to be installed and accepted by the Township within the time set forth in that Agreement. The developer has not completed the project the developer is requesting an extension of the Development Agreement for an additional one-year period out to January 23rd, 2026. If Council is of a mind to approve the Extension Agreement it would be the recommendation of the Administration that it would be subject to an audit by the Township Finance Department and the Township Engineer to make sure sufficient funds remain in escrow for completion of the public improvements.

Council Vice President Knowles motioned to accept the Extension Agreement for Guy and Deborah Dalfo, Bristol Road and Palm Avenue, Tax Parcel 02-018-003 to January 23rd, 2026, with the condition of an audit by the Township Finance Department and the Township Engineer to make sure there are sufficient funds to complete the project. Councilwoman Benitez seconded and the motion carried 4-0.

7. **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 6337 GARRETT AVENUE (VACANT LOT):**

Solicitor Pizzo indicated that this is a development project and the property is currently vacant. The developer is R & S General Contractors. In order to move forward with the construction on the site it is necessary for the applicant to seek and obtain from the Department of Environmental Protection for an Act 537 approval. As part of that process, a Resolution of the Township has to be adopted authorizing an amendment to the Township's Sewage Facility Plans to essentially incorporate and provide for Sanitary Sewage Service of the site. The Resolution and the application are in the standard form required by the Pennsylvania Department of Environmental Protection and are in a form acceptable for Council consideration and approval.

Councilwoman Benitez motioned to approve Agenda Item #7 Resolution for Act No. 537, PA sewage Facilities Act, Plan Revision for new land development of a parcel of land identified as 6337 Garrett Avenue as presented by Solicitor Pizzo. **Council Vice President Knowles** seconded and the motion carried 4-0.

8. **CONSIDERATION OF A REDUCED PERMIT FEES FOR THE BRIDGE CLINIC:**

Nancy, with the Bridge Clinic, respectfully requested a waiver of \$30,000 in permit fees for the new construction of their Animal Welfare Hub located at One Declaration Drive. The work at the Bridge Clinic impacts countless families in Bensalem. Over the past 3 years they have seen a remarkable increase in the number of services they provide to the community, including surgeries, exams and vaccinations. This growth demonstrates the critical need for their services and the impact they continue to make year over year. This year they have already performed over 7,000 surgeries, 7,000 exams and have administered over 12,000 vaccinations.

This facility will allow them to expand on the mission exponentially. Waving these fees is not just an investment in their organization it is an investment in the community that they are so proud to serve. As a non-profit every dollar counts. The \$30,000 in permit fees represents a significant expense that directly divert resources from their core mission, saving lives and supporting families. On behalf of the Bridge Clinic they sincerely thank Council for considering their request.

Council President Kisselback indicated that normally there is a form that comes before Council which is an application from the Township’s Building and Planning Department. However, the norm for the Township is the real cost involved with performing these services. Normally what the Township does is if someone applies and they qualify, which the Bridge Clinic certainly would, the Township would reduce the fees by 50%. Instead of the fees being \$29,367 the cost to the Bridge Clinic would be \$14,683.50.

Councilwoman Benitez indicated that the Bridge Clinic has really done an amazing job with serving the Bensalem community. The Bridge Clinic has plans for doing things like a Community Center and a Dog Park. The Bridge Clinic was an important factor in Council passing an Ordinance in reference to the feral cat situation.

Councilwoman Benitez motioned to approve a 50% reduction for the Bridge Clinic as requested in the amount of \$14,683.50. **Council Vice President Knowles** seconded and the motion carried 4-0.

9. **CONSIDERATION OF 3 ESCROW RELEASES FOR:**

Quinton Nearon, Senior Municipal Inspection Manager, presented the following Escrow Releases:

A. Developers Request: TIC Associates – Phase 2 – Release #1
Location: 4626 Somerton Road
Tax Parcel: 02-003-002
Amount: **\$1,492,122.50**

Quinton Nearon, Senior Municipal Inspection Manager, indicated that the majority of the work is done. The developer is pretty much nearing completion of the project and is requesting a release of \$1,492,122.50.

Council Vice President Knowles motion to approve the Escrow for TIC Associates, Phase 2 - Release #1 for \$1,492,122.50 subject to an audit by the Finance Department. **Councilwoman Benitez** seconded and the motion carried 4-0.

B. Developers Request: Lavender Rd. S/D - Release #2
Location: 1430 Lavender Road
Tax Parcel: 02-032-185
Amount: **\$1,200.00**

Quinton Nearon, Senior Municipal Inspection Manager, indicated that the property has been inspected and is recommending a release of \$1,200.00.

Councilwoman Benitez motioned to approve the request for 1430 Lavender Road, Release #2, Tax Parcel 02-032-185 for \$1,200.00 subject to an audit by the Finance Department. **Council Vice President Knowles** seconded and the motion carried 4-0.

C. Developers Request: 2289 Green Avenue S/D – Release #2
Location: Green and McKinley Avenues
Tax Parcel: 2-39-104
Amount: **\$67,017.45**

Quinton Nearon, Senior Municipal Inspection Manager, indicated that the project is near completion. The three houses have been constructed and are occupied. The Township is keeping \$22,355.43 to get a punch list together for the developer for completion of the outstanding items on the property.

Council Vice President Knowles motioned to approve the Escrow Release for 2289 Green Avenue, Release #2, Tax Parcel 2-39-104 for \$67,017.45. Councilwoman Benitez seconded and the motion carried 4-0.

10. **CONSIDERATION AND APPROVAL OF A SETTLEMENT AGREEMENT FOR A PARCEL OF LAND LOCATED AT 2600 STATE ROAD:**

This item was tabled by a previous motion.

11. **REQUEST FOR A WAIVER OF CURBS AND SIDEWALKS INSTALLATION SUBJECT TO PAYMENT OF A FEE IN LIEU OF:**

Applicant:	Akmal Kholb & Shamshiddin Abdukodirov
Site Information:	2454 Linconia Avenue
Tax Parcel:	02-007-039

Quinton Nearon, Senior Municipal Inspection Manager, indicated that after checking the area they found that there was no immediate curbing in the area. Mr. Nearon is requesting a fee in lieu of to be paid by the builder in the amount of \$1,700.00

Councilwoman Benitez motioned to approve the applicant's request of a waiver of curbs and sidewalks for 2454 Linconia Avenue, Tax Parcel 02-007-039 and for the applicant to pay a fee in lieu of in the amount of \$1,700.00. **Council Vice President Knowles** seconded and the motion carried 4-0.

12. **PUBLIC COMMENT:**

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

A gentleman approached the podium and presented a petition with 200 signatures to Council to reconsider the Skill Game Ordinance that was passed by Council and explained how employees would lose their jobs and shop owners who invested will be out the money.

Council President Kisselback indicated that this case is in litigation and Council cannot comment. The public is more than welcome to come forward and express their concerns.

Solicitor Pizzo indicated that litigation was filed against the Township last week. It appears to have been filed by the owner of one of the skill game operating companies and by Maharaj, LLC doing business as Smoke Studio, one of the smoke shops here in town. The Township is now in litigation over this and recommended to the members of Council that it serve no good or purpose for them to comment publicly at this point on any aspect of the ordinance or someone associated with this litigation. Obviously, the public is free to comment during the Public Comment portion of the meeting, but there will be no public comment from the Township this evening on this matter.

A gentleman, Chabra, approached the podium and indicated that he was an independent operator and has a few locations with the skill games at those locations. These machines provide a lot of bread and butter to these locations. These machines help pay the bills for these small businesses. The way that the ordinance was passed no one was aware of what was going on and requested if Council would reconsider.

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

13. **OTHER BUSINESS:**

Township Engineer Wursta indicated ***“GO BIRDS!”***

Solicitor Pizzo wished everyone in our great community a “Happy Thanksgiving!”

The Mayor acknowledged all of the recipients of the awards this evening for their bravery and what they do for our community. December 14th is the Township’s Christmas Tree Lighting and photo op with Santa Claus and starts at 5:00pm at the Municipal Complex. Bring a non-personal food item to receive a surprise appreciation gift. Happy Thanksgiving! God Bless and God Bless our Country and God Bless Bensalem!

Councilwoman Benitez recognized and congratulated all of the recipients for their bravery. Extended prayers to the Champion family. Wished everyone a Happy Thanksgiving! Breakfast with Santa at the Bensalem High School on December 8th. Texas Roadhouse fundraiser is the morning of the tree lighting, bring a toy which is being collected here at the Township building as well.

Council Vice President Knowles recognized the people who received the awards this evening for their bravery. Happy Thanksgiving! Be safe in your travels. Once again, he spoke of Texas Roadhouse event and the Township Tree Lighting event.

Council President Kisselback indicated the Police event at Texas Roadhouse starts at 11:00am until 1:00pm. Tree Lighting on December 14th. Congratulated all of the recipients from the Police Department and the Fire Department and the individuals who saved the life of the little girl who almost drowned, as well as the presentation from Lower Southampton Township. Happy Thanksgiving! God Bless and Goodnight!

14. **ADJOURNMENT:**

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

The Bensalem Township Council Meeting of November 25th, 2024 can be viewed in its entirety at the following websites:

www.bensalempa.gov

or

www.youtube.com

Respectfully submitted,

Debora F. McBreen
Recording Secretary/Council Clerk