

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

**Monday
June 8th, 2026**

COUNCIL MEMBERS PRESENT:

Ed Tokmajian, Jr., Council President
Jesse Sloane, Council Vice President
Joe Wenzel, Jr., Council Secretary
Ed Kisselback, Council Member
Joseph Knowles, Council Member

SUPPORTING STAFF PRESENT:

Mayor Joseph DiGirolamo
Ken Ferris, Solicitor
Adam Flager, Land Development Solicitor
Debora McBreen, Council Clerk/Recording Secretary
Joseph Pizzo, Township 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 their microphone.

1. OPENING OF THE MEETING:

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

DRUG AND ALCOHOL PRESENTATION OF *D.A.R.E.* POSTER CONTEST WINNERS

Council President Tokmajian introduced Mary Ann Griffin, Drug and Alcohol Advisory Board, who indicated that Bensalem is one of the few Townships that teaches students decision-making for safe and healthy living through the *D.A.R.E.* Program.

The *D.A.R.E.* Program has been a long-time Program presented to fifth grade students in all of the Bensalem Schools. The Drug and Alcohol Advisory Board works together with the Bensalem Police Department. Detective Olivero is assigned to Rush Elementary and School Lane Charter School, and has been with the program for over 20 years. Detective Yasier is assigned to Cornwells and Belmont schools and has been with the program for 8 years. Officer Crozier is assigned to Struble and Saint Charles and has been with the program for 10 years. Officer Pettine has been with the program for 10 years and Officer Pascucci has been with the program for 1 year who has replaced Detective Palmer who has retired.



The symbol for *D.A.R.E.* is Darren the Lion. The Lion represents courage and strength. At the end of graduation, certain students are chosen to be given the Lion because they have gone above and beyond the classroom structure that they have been given. Students are given a criteria to do the posters which is prepared by the Drug and Alcohol Advisory Board. The poster is designed to illustrate an important message that they have learned during the *D.A.R.E.* program.

The Drug and Alcohol Advisory Board members review the 50 posters that are submitted by the students from various schools and pick 5 winners. Each winner will receive a gift card for Target.

D In 5th Place – Radhe Patel – Struble Elementary School

A In 4th Place – Sarah John – School Lane Charter School

R In 3rd Place - Rutya Patel – Valley Elementary School

E In 2nd Place – Swara Patel – School Lane Charter School



In 1st Place – Zoey Jeschonek – Cornwells Elementary School

Council President Tokmajian thanked the Bensalem Police Department for their long-time support of the *D.A.R.E.* Program.

The Mayor indicated that Bensalem is the only Township still doing the *D.A.R.E.* Program.

Council President Tokmajian indicated that there was a request to move Agenda Item number 13 to 4A. **Council Vice President Sloane** motioned to approve the move. **Councilman Kisselback** seconded and the motion carried 5-0.

3. **PUBLIC COMMENT-LIMITED TO AGENDA ITEMS ONLY:**

Council President Tokmajian indicated that he understood and recognized that there may be some people in the audience for the Data Center discussion, that item is on the agenda and he was going to open up the floor for Public Comment for that particular item at that time. It is important that the audience hear some of the discussion and what they will be looking at in making their decision.

Seeing no one come forward the first of two Public Comments was closed.

4. **APPROVAL OF COUNCIL MINUTES:**

Council Vice President Sloane motioned to approve the Council Minutes for May 26th, 2026 as presented. **Council Secretary Wenzel** seconded and the motion carried 5-0.

4A. **CONSIDERATION OF A LAND DEVELOPMENT EXTENSION AGREEMENT:**

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

Solicitor Pizzo indicated that this is a Land Development that has already had a Land Development Agreement in place. The public improvements associated with the project are not yet completed in their entirety and that is what necessitates the consideration of the Extension Agreement. In consideration of the Extension Agreement, it is always the recommendation of the Administration that if Council is of a mind to grant, that they do so to an audit of the various escrows associated with the project; by both the Township Engineer and by the Finance Department to make sure sufficient monies remain in place to complete those improvements.

Solicitor Kelton is present this evening to also present to Council a request from the developer to consider an amendment to the plan regarding the phasing of the project; and wants to present that concept to Council before they proceed with engineering a change in the phasing, if that is what the Township wants.

Mr. Stan Kelton, represents Faith Unity, indicated that this has been extended on previous occasions for various reasons. Mr. Kelton said that the Township was kind enough to allow the developer to build in two phases. Phase one is the front of the property which involves the PennDOT improvements and is finally complete. Phase two is the back of the property.

Council President Tokmajian indicated that what Mr. Kelton was asking Council to do is to extend the Land Development Plan for that year to allow the applicant time to then work with the Township to figure out whether it is a concept or engineer plan, and submit it back to Council.

Council Vice President Sloane indicated that tonight's discussion is only about a Land Development Agreement for one year. The other concept Mr. Kelton was bringing to Council was a completely different plan that would need to go through the proper channels.

The amended Land Development Plan will come before Council for judication and they will wait to hear all of that discussion until that time. Council will review those plans and the Township Engineer will review those plans. The only matter of business to discuss this evening is whether or not to extend this Land Development Extension Agreement.

Council President Tokmajian appreciated Mr. Kelton summarizing it so that Council knows to anticipate a revised plan at some point in the future.

Councilman Kisselback motioned to extend the completion date to July 27th, 2027. **Council Secretary Wenzel** seconded and the motion carried 5-0.

5. **CONSIDERATION AND APPROVAL OF A RESOLUTION FOR FILING OF AN APPLICATION FOR FUNDS UNDER THE GREENWAYS, TRAILS AND RECREATION PROGRAM (GTRP) FOR UP TO \$236,512.00:**

John Chaykowski, Director of Administration, indicated that the intended use of this Grant is a Greenway Trails Recreation Program Grant. The maximum allowed request is \$250,000 and there is a 15% Township match. The cost estimate done by the Engineer is around \$278,000 which will go over the Grant allowance. The intended use are improvements to different park facilities. There have been lighting improvements at Rambler's but this is intended to be utilized at Valley AA for the baseball field located to the right as you pull in off of Hulmeville Road. They have attempted to convert that field into a soccer field as there are additional soccer fields needed.

What the Township is looking to do is to phase that complex into possibly converting some of the fields into soccer fields. The grant will allow the Township to move the irrigation lines, lighting, fencing, if need be. There will be Township employee work being done as an offset as well to limit the cost. Basically, it will be to develop two complete soccer fields on that particular lot. There will be additional parking added if there is an ability to do so depending on location and depending on grant proceeds.

Council Vice President Sloane asked Director Chaykowski if it was only Field #6 and not looking at any other modifications on the facility?

Director Chaykowski indicated no, not yet. They have had discussions, but they have already stopped using that field for baseball. The Township is figuring that they can fit at least two soccer fields there and add the lighting for the program.

Council President Tokmajian indicated for the estimated cost of \$278,000, if the Township is looking at parking, was it engineered?

Director Chaykowski indicated that Joe Jones Engineering did the cost estimate. The Township is not adding a large amount of parking. Possibly adding 20, 30 spaces. No additional drainage. Once the Township goes out and starts soliciting the bids for the changing of the lighting, irrigation, things may adjust.

Council President Tokmajian indicated that coming up they have the Q1 Review. Is the 15% was that budgeted?

Director Chaykowski indicated, if awarded, it won't be available until the 2027 Budget which it would be included in the 2027 Budget.

Council Secretary Wenzel motioned to approve the consideration to approve the Resolution for filing the application for funds under the Greenways Trails and Recreation Program Act for up to \$236,512. Council Vice President Sloane seconded and the motion carried 5-0.

6. **CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE USE OF INTERNAL FUNDS OF THE BENSLEM TOWNSHIP COUNTRY CLUB FOR THE PURPOSE OF PROVIDING THE REQUIRED MATCH AND INTERIM FINANCING NECESSARY TO COMPLETE THE RACP GRANT FOR THE RIVER RENAISSANCE IN A NEW BENSLEM PROJECT:**

Director Chaykowski indicated that the Township was awarded \$2,250,000 grant from the State of Pennsylvania, Redevelopment Assistance Capital Program (RACP) Grant. Those funds require a 50% match. The Township, through all of the cost of the projects had come up with an estimate of \$4.7 million. There was going to be additional capital invested from the Country Club for all the projects. Two of the four projects are completed. The cart path repaving will done in July or August. The Township is holding a pre-bid meeting on Friday, June 12th, 2026, and open next week for award. The last part is the Mansion renovation which is in the final punch list stage with one prime with needing to make corrections to the project.

When the Commonwealth allowed the Township to move the funds to the Country Club, the funds were available through a borrowing through the Trust Fund. Any Grant repayment will be going back to the Trust Fund.

Council President Tokmajian asked when did this take place?

Director Chaykowski indicated that it was moved in 2024 by the Commonwealth at that point.

Council President Tokmajian asked what was the Township's payback period on that?

Director Chaykowski indicated that the Township did a 25-year amortization on it with a 3% Interest Rate on it.

Council Vice President Sloane indicated that this is essentially money that was already spent. Council just has to authorize it.

Director Chaykowski indicated that as part of the RACP's, the State's requirements, there has to be an internal financing done. Even though when the Township submitted the applications and everything showed the bank account information, you actually need a Resolution from Council. The Township submitted their first report to the State, in March and are actually in the process of doing their second report to the State and this is one of the identifiers that is needed to be done for the second report.

Council Vice President Sloane indicated that back in 2024 Council approved about \$2.5 of taxpayer money be transferred out to repave cart paths at the Golf Course.

Director Chaykowski indicated that it was to make improvements which included stormwater improvements on the golf course, hole relocation because the Township was receiving complaints about balls leaving the golf course.

The projects that were done was the streambank that came through underground at the back of the golf course and was getting eroded, the hole relocation and the drainage work. The Township invested their own money in a drainage project that was done in two phases. The first phase the Township paid for through the ARPA funds. The second phase was paid through RACP. The second phase was needed because while the water is being pushed down Hulmeville Road it will now be diverted between the creek and Hulmeville Road, so that they are not overloading the drainage system.

Council Vice President Sloane indicated he was back there where the houses were flooded from poor stormwater management that had collapsed the pipes underneath Hulmeville Road.

Director Chaykowski indicated that was the basin in Village Greene which was never designed for the 100-year storm program. The Hulmeville Road Drainage Project helped the four homes on Woodbine Avenue that were getting flooded.

Councilman Knowles indicated just to clarify, the 3% that is being paid back is getting paid back to who?

Director Chaykowski indicated that it is going back to the Trust Fund.

Councilman Knowles indicated that the Township did not spend taxpayers' money it was borrowed from a trust Fund that has \$46 million or so dollars in it. The Township is paying itself back at 3%, so over 25 years the taxpayers will make 3% on the money they borrowed to improve flooding and various things at the golf course.

Council Vice President Sloane indicated so now we are asking residents to pay that 3% back. They are not making money on it, they are paying that interest, we need to be clear about that.

Council President Tokmajian indicated that to be fully transparent he had conversations with Director Chaykowski and outside of that particular area there are flooding issues across the Township. Council is looking at other financing options to help mitigate and address some of the other flooding issues across the Township.

Council Secretary Wenzel indicated that when the Township did work in the past, there were some problems with contractors. Will those contractors be able to bid as well?

Director Chaykowski indicated yes, the one contractor is a responsible contractor, they will be able to bid on it.

Councilman Knowles motioned to approve the Resolution that got the cart paths paved and allowed it to go through. **Councilman Kisselback** seconded and the motion carried 5-0.

7. FIRST QUARTER 2026 BUDGET REVIEW:

Council President Tokmajian indicated that he had spoke earlier in the year with Director Chaykowski about reviewing quarterly financials prior to going up into Budget Season. This is helpful and appreciative of Director Chaykowski providing the details so that Council can look at, and to see how the year looks so far.

Regarding EIT, where it looks like it is somewhat lagging, which he would expect that they would see maybe 25%. Real Estate Taxes seem to be behind and they have not seen the Casino Revenue.

Director Chaykowski indicated that 2025 audit has been completed and will be posting financials shortly. The General Fund in addition to the projected 23.5 and additional 3.3 million about 2.6 of that came from the Health Insurance credit through all of the departments. Usually, the Township lets that build up and then they cash it all at one point. Going forward they can discuss whether to take it annually or let it build up.

Revenues are flat as stated, real Estate taxes don't get mailed out until March of each year, and that is why they are not seeing any collections in March. The main collections that the Township

got were probably what was received in the beginning of January and February, that could have been delinquent or something to that extent. In Quarter 2 they will see a much larger payment portion of it.

EIT, think of the Earned Income Tax goes along with the normal tax due date, April 15th. Everything that the Township is receiving in the first two months of the year basically gets accrued back to last year because it's all collections that were 2025 collections that were paid in 2026. The way the Earned Income Tax works is employers as well as non-employer deducted collections, they have to have everything paid by December 31st. It takes a month or two for Keystone to process those payments and get them turned in. A large chunk of what the Township received through February was 2025 Revenue and was accrued during the audit.

Those always lag because they're paid on a quarterly basis. There are weekly remittances from Keystone but majority comes at the end of a quarter, and usually takes about 30 days to process it as well as you see the largest chunk after the 4th quarter.

Business Taxes are coming through periodically now at this point they are still processing the applications that are submitted in January.

The other department revenues, relatively flat. Building and Planning did receive in February and March some decent permit revenue, it is about \$790,000 at this point.

Council Vice President Sloane asked if that will keep pace or is that just kind of an early peak and then it will die down?

Director Chaykowski indicated that it all depends on land development. That's a driving factor on it.

Transfers In, a large portion of that is snow. The first Quarter we had snow. What is budgeted whenever the Township does snow removal the State Liquid Fuels Fund reimburses the General Fund for any overtime wages that the staff is working due to snow removal. The large portion of that is the repayment of that from the Liquid Fuels Fund.

Expenses are somewhat normal. There are some larger expenses in the Police Department for vehicles that were approved and they order them as soon as January 1st happens.

The Transfer of \$4.4 million was for the Township Debt Service for the year which is a normal transfer out that happens.

Page 27, Snow Removal, a bulk of the snow removal was spent out of the State Liquid Fuels Fund which is the money the State provides which the Township can use for anything road related. The \$563,000 is what the Township spent between contractors and salt. The Township did run into a salt issue with Morton Salt not being able to provide the Township with salt. The Township outsourced through other avenues to get salt and Morton did make good. The Township received roughly \$42,000 back in line with whatever the Township's contract price was. Any overage the Township paid and out of state taxes, all of those fees were reimbursed by Morton Salt to the Township. This reimbursement will show up in Quarter 2 figures.

Council President Tokmajian indicated that IT and both Finance and Police, some Computer Technology and so forth were up.

Director Chaykowski indicated that in a lot of the departments there will be annual allotments for their annual software. Finance software is due in January. IT, a lot of their renewals are due in the first quarter as well as the Police Department. You will see a large spike in the computer tech support lines in the first quarter than in other quarters.

Council President Tokmajian indicated that they see these spikes for those particular reasons because Council is not use to reviewing the quarter. The quarter financials versus just looking at it at the yearly level in December.

Council Secretary Wenzel indicated that he looked at surrounding municipalities who recently increased their EIT. And asked Director Chaykowski if he felt it was going to be an issue for Bensalem Township.

Director Chaykowski believes that the Township may see a small blip. For the Township residents it doesn't make a difference. The only way it will affect Bensalem is if we have someone from those other municipalities working in Bensalem. But, if it is Bensalem working in those locations, that won't change. The State of Pennsylvania doesn't release our tax returns to the Keystone until 3 years after we file them.

Council Secretary Wenzel indicated that it looks like the membership fees for the golf is down. Typically, people will buy their memberships early in the season. Is the golf course advertising memberships?

Director Chaykowski indicated that the golf course does advertise and they also have a deadline when the fee has to be paid. The golf course has reported that the players do like the change in the course and the social membership itself has grown. Quarter 2 will give a better glimpse as to what this looks like.

Once the mansion is up and running, they will try and upsell weddings to have their cocktail hour there if they are getting married on the porch or patio.

Council Vice President Sloane indicated that he would like to see in the next quarter the end of year projections.

Director Chaykowski indicated that he was planning on trying to include an end of year projection in the next quarter review.

Council Vice President Sloane indicated that during their discussion they had talked about job vacancies and how they are budgeted in and asked for an update.

Director Chaykowski indicated that currently the Township has the Director of Public Works vacant, The Finance Manger is still vacant. In the 2027 Budget the Township is planning on putting a Human Resource Manager in and will evaluate between the HR Manager and the Finance Manager to see if there is a necessity. There is an open position in Finance which is a new position.

Councilman Kisselback indicated that in speaking to some of the people at the golf course, they had said they were very pleased with the changes that were made to the course.

Council President Tokmajian asked Director Chaykowski if he could do the second quarter review at one of the August meetings.

Director Chaykowski indicated end of July early August was doable.

8. DISCUSSION REGARDING HR POSITION:

Council President Tokmajian indicated that there was some discussion regarding the HR Manager and asked Director Chaykowski what the responsibilities of the HR Manager would be and who they would report to.

Director Chaykowski indicated that the Township is currently in the process with the Bucks County Consortium reviewing what other municipalities have, the duties assigned and pay scale. For the most part every municipality has one or one with a support staff in comparison to the size of the Township. Some of the duties would include onboarding of personnel, helping with tracking discipline, helping with collective bargaining agreements, keeping federal guidelines, state guidelines current with policies that we do now.

Council President Tokmajian indicated policies, training, all of the normal human resource type activities and would be a great asset to the Township.

Council Secretary Wenzel indicated that he looked around and most of the HR people are Director's positions and proposed that it should be a Director position where the Mayor appoints and the Council approves just like every other.

Director Chaykowski indicated that he only found one municipality, Middletown, that has a Director position. Abington has a Manager, Lower Marion has a Manager. The Township's intention is to make it a Manager position.

Council President Tokmajian asked who the HR Manager would report to?

Director Chaykowski indicated that the HR Manager would report to Administration, which would be the Director of Administration and the Mayor.

Council President Tokmajian indicated that they can look at the details as we get closer to 2027.

9. CONSIDERATION OF A PRELIMINARY AND FINAL LAND DEVELOPMENT:

Applicant:	Perryville Hospitality
Location:	Lincoln Highway – Former George Washington Motor Inn
Proposed Use:	Self-Storage
Zoning Classification:	C- Commercial
Tax Parcel:	02-001-03

Solicitor Flager indicated that it is a self-storage facility on Lincoln Highway with 2 ½ acres being developed. The applicant has received zoning relief, there are a few land development waivers which the applicant can discuss and the fees in lieu.

Ed Murphy, Solicitor on behalf the applicant, and Justin Geonnotte, Project Engineer for Dynamic Engineering. In 2024 the applicant discussed the sketch concept with the Township staff. It proceeded forward. An application was submitted to the Zoning Hearing Board in the Spring of 2025 and was granted. Land development plans were submitted late last Summer and were reviewed multiple time by the staff and consultants of the Township. Three sets of revised plans were submitted addressing ongoing review comments and received a favorable recommendation for this by the Township Planning Commission. A few tweaks of the plan were made based on further review comments form the Township Engineers office.

They are here this evening seeking the necessary approval to allow the applicant to move forward.

Council President Tokmajian indicated that the applicant mentions that some of the slopes were attributed to the work that was done and was asked what was there prior to some of the construction work going on related to the Turnpike.

Solicitor Murphy indicated that Mr. Geonnotte has done a geotechnical study of the site as required by the Township Ordinance.

Mr. Geonnotte indicated that when they went through the Zoning Hearing Board, there were all steep sloes on the site which they got relief from. Those steep slopes were all because of the fill associated with the right-of-way taking and the construction of all the surrounding roads that are joined. Mr. Geonnotte indicated that he was unsure of what the original use was for that site. Basically, the fill from the Turnpike, the Turnpike on-ramp and Route 1 itself, this was the dumping ground and the construction zone for all those roads.

Council President Tokmajian indicated that he has been in the Township for 40 years and it was a dumping ground even prior to that. He remembers it to look as it looks today with mounds of dirt and believes it is a little disingenuous to blame the construction piece of the Turnpike to the idea the Township is getting a variance for steep slopes.

Mr. Geonnotte indicated that they did a full geotechnical investigation that actually confirmed that. They did full borings. The borings were consistent of fill from construction activities, different rock. It actually was and the applicant did present that as evidence during the Zoning Hearing Board hearing.

Council President Tokmajian asked Mr. Geonnotte if he had that evidence with him today.

Mr. Geonnotte indicated that he did have the geotechnical investigation.

Council President Tokmajian indicated that there were mention about three or four different reviews and did not recollect any additional reviews or history of what those reiterations look like.

Solicitor Murphy indicated that they should be in Council's packet. The applicant has them and Mr. Geonnotte's office has responded in kind as each new review letter was issued.

Mr. Geonnotte indicated that the initial land development submission was made on August 22nd, 2025. The applicant received the first-round review from WK2 on September 25th, 2025. The applicant is on revision three of the plan set. The initial submission was made and that was revision zero and then went, one, two and three.

Council President Tokmajian asked Mr. Geonnotte if he could summarize what changed over the course of plans one, two and three.

Mr. Geonnotte indicated that whenever you submit a land development there is feedback that comes from the Township Engineer mainly related to stormwater grading, different aspects of the ordinance that they want the applicant to seek compliance with, or maybe some buffering differently on the plans. Those comments were then addressed and resubmitted. They received another round of review letters. Instead of coming before the Planning Commission the applicant chose then to revise the plans, resubmit them just so that they can come before the Planning Commission with a cleaner review letter, which was revision two.

Solicitor Murphy indicated the 21st of January they met with the Planning Commission but they had a second review from WK2 on January 12th, 2026. The applicant had a series of emails from different folks at WK2 on February 24th, 2026 and March 23rd, 2026 resulting in further reviews. The third round of reviews on March 24th, 2026 and then finally the readiness letter of May 14th.

Council President Tokmajian asked the applicant was it decided to go four plus stories?

Mr. Geonnotte indicated that it was typical for self-storage and you do a smaller footprint with elevators inside, and wants to eliminate the area of disturbance on the property. They will provide full circulation around the building and will provide enough area for stormwater management. Self-storage is easier to go vertical then it is to go wide. These are new state-of-the-art versions of self-storage which has eliminated the long rows, drive up door and pull-up doors. Everything is self-contained. It is a multi-level of secure climate controlled self-storage inside.

Council President Tokmajian indicated that there still is disturbance to the site, and based off of the Township Code, there is a minimum net lot area of 5 acres that is required to put this use there.

Solicitor Murphy indicated that they did not have 5 acres to start with. That was one of the items of zoning relief, because of the application of all the rights-of-way of all the roads that immediately surround it, the applicant ended up with 2.85 net acres; which is one of the issues of the zoning relief that the applicant received a year ago.

Council President Tokmajian indicated that is understood, but for the use required is 5 acres.

Solicitor Murphy indicated correct. The Township ordinance would have normally required 5 acres for a self-storage. The applicant never had 5 acres, the most they had was 4 and change gross; but with the reduction, as the Township ordinance requires of all of the surrounding rights-of-way, it went from 4 plus to 2.85 acres.

Council President Tokmajian asked why does a storage facility need three wall signs?

Mr. Geonnotte indicated that was testimony during Zoning Hearing Board. One they have multiple road frontages, and they have a very obscure location.

Council President Tokmajian indicated that it sounded like they were advertising for folks coming off of the Turnpike or people that may not necessarily live in Bensalem, so why the need to advertise?

Mr. Murphy indicated so you can find where it is, and it is not easy to get to where it is. It is in a very obscure location.

Council President Tokmajian asked if there will be any impact to Route 1 since it is really there as well as the adjacent off-ramp to the Turnpike?

Mr. Geonnotte indicated no impact.

Council President Tokmajian asked the Township Engineer if there will be any impact to Route 1 and if not, please explain why when the discussion is about a 4 plus 5 building?

Solicitor Murphy indicated that their fee that they agreed to pay for Traffic Studies is 19 trips in the PM.

Engineer Wursta indicated that they might be using Route 1 but not going in from Route 1.

Council President Tokmajian indicated that it is still a towering four-story building that is over Route 1. There is a waiver that is noted that WK2 supports the waiver request for curbs and sidewalks and asked Engineer Wursta to explain.

Solicitor Murphy indicated that technically it is a waiver but the applicant is paying a fee in lieu of construction of both.

Council President Tokmajian indicated curbs and sidewalks help with water management. Based off of the waiver variance of the steep slopes, he would expect that he would have to see some increased work for water management.

Engineer Wursta indicated that clearly there is a water issue when curb is placed in a certain direction. With this particular applicant everything came out okay with regard to how the stormwater management would process.

Council President Tokmajian asked Engineer Wursta if that does factor in the idea of variances on steep slopes because he would assume there would be additional flow from the steep slopes; and is that factored into the rate control tables?

Engineer Wursta indicated that it does, because they are catching that water, it is not muddling around somewhere else; it is going in the underground basin where it is stored and goes through the ground.

Mr. Geonnotte indicated that the site has no stormwater management. A lot of times the issue and protection of steep slopes is mainly pertaining to erosion and sediment control. Cutting a steep slope is only as important if it is managing the slope that the flow comes off of it. The applicant is providing fully compliant stormwater management, which is rate, volume, and water

quality. The applicant is meeting the Township's Stormwater Ordinance and meeting the State's because they are disturbing over an acre. The applicant is proposing two basins, one is an underground MRC basin which is going to be located underneath the parking lot. The other basin is an above ground surface extended detention basin. Both will function to manage the rates to be less than 20% of the flows coming off the site today.

The applicant is meeting all rate controls, all peak rate reductions. There is no infiltration on the site because it is a fill site, the DEP does not allow you to infiltrate and fill and they didn't find infiltration during some of the tests that were provided. With support of the waivers, not only is there no curb and sidewalk along that stretch of Neshaminy Boulevard, but also installing curb and installing sidewalk would also would impede the flow of stormwater on those road networks. Right now, they function by using roadside swales and inlets. If the applicant were to put curb just along the isolated section it would actually disturb and upset the whole rest of the flow regime to that area.

Councilman Knowles indicated that the facility is open from 6:00am to 9:00pm, it is in an isolated location, what kind of security will be provided?

Mr. Geonnotte indicated that these facilities do function on security. They want people to feel safe when they go in, There will be staff during routine business hours, but there will be periods of time when it is unstaffed and only available to people with keycard access. There will be security cameras not only on the perimeter of the building but on every square corner inside. They have no blind corners. There is nowhere someone could hide or actually get into the building. They have a dedicated key to know who is in and out when they come in and out.

There will be a gate to get into the facility. You will be able to pull in, swipe a card, enter a code to be able to access the facility to get in and out. They will know when you have entered the and when you have left. Also, to get into the facility itself is another keycard to get into the building. There is lighting, there is security and there is cameras and will have a record of who is in the building at all times.

Council Vice President Sloane indicated that he was a little bothered that they do not have the previous engineering reviews in their packets. There were no records in their packets of the Planning Commission review, the Zoning Hearing Board review, and would think that this is a sight that the Environmental Advisory Committee would also take a look at. Going forward we need to make sure that they are having the full proper information in their packets and the proper boards reviews for every land development plan that comes before Council.

Also, he was really concerned why the Zoning Hearing Board granted eight variances about developing what is now could be considered open space, it is undeveloped space. Then asked if the Administration opposed this at all or were they supportive? Did they show up at all?

The Mayor indicated that they looked at the site and determined that there was nothing else that could be put on that site. Any taxable reason would go there. They saw it as a use, the Administration does not vote on stuff they look at the situation. The use of that property at the end of Neshaminy Boulevard for any other kind of taxable entity the Administration could not see anything else going on that property. The storage facility looks like an office building.

Solicitor Pizzo indicated that the Administration did not send the Solicitor or anyone from his office to the Zoning meeting to advocate for or against, and the same would be true for the Planning Commission. The Administration did not advocate for or against in front of either of those boards.

Council Vice President Sloane indicated that he did take a look at the Zoning Hearing Board Minutes and one of the conditions for their approvals was a requirement that the woodlands that are present on the site be relocated and asked the applicant to speak further about that.

Mr. Geonnotte indicated that as part of the disturbance of woodlands there is a fee associated with it and additional planning's that are required. The applicant is complying with that and they are not asking for any additional relief.

Council Vice President Sloane indicated that instead of relocating the woodlands, which was a condition of approval of the Zoning Hearing Board, per their minutes, is the applicant saying that they are not going to relocate the woodlands?

Solicitor Murphy indicated that the applicant is intending to replant as many trees on the site. At the direction of the Township Engineer, they will decide if the applicant has reached the point where they can't physically accommodate any more trees they are required to replant on the site. They will take direction from the staff as to where they go.

Council Vice President Sloane indicated the Zoning Hearing Board encourages applicants to prepare and implement a landscape plan using a native species to recreate the woodland environment.

Council Vice President Sloane indicated that he did see the landscape plan in the drawing. Then asked Engineer Wursta if he had any comment on that because there was nothing in the WK2 letter about the landscaping.

Engineer Wursta indicated that he did not have an answer to that but the applicant was complying with that request by doing what they said they would do. They did not have a yes or no to associate with that.

Council Vice President Sloane indicated that it is a question of does the landscape plan reflect relocation, of the existing woodlands sufficiently, or are they going to have to pay a fee into the Township's tree fund?

Engineer Wursta indicated that it has been a while since he has looked at that plan and could have his professionals look at it and get back to Council.

Council Vice President Sloane indicated that is not how it read, that is not what the applicant had agreed to.

Council Vice President Sloane indicated that is what was captured in the Minutes.

Mr. Geonnotte indicated that it was actually in the decision, which he had that was prepared. It says: the ZB encourages applicants to prepare and implement a landscaping plan using natural species to recreate a woodland's environment. At no point did it actually say that they had to go one for one on the replacement of trees. The plan that they submitted is part of their application

and does just that. The applicant is not asking for any waivers or variances. There is some actual criteria in the Township Ordinance which is a zoning variance. The applicant is fully compliant in that regard.

Councilman Kisselback indicated that he thought that this was an excellent plan for that location. There is no other development or anything else that can go in that location that he could conceive of. The stormwater management plan is designed at one year. Pre-development is going to be 2.01, after development is going to be 1.24 which is a 77% decrease in the stormwater management flow. As far as the traffic, this type of development has a very small number of automobiles, traffic going in and out of it throughout the day. It is going to be very minimal in terms to activities in that location.

As far as the specifics of the environment that Council did not have the information, that is another question that has to be addressed by Council.

Councilman Knowles indicated that there is a letter from the Bensalem Police Traffic Safety Crime and Prevention Unit regarding traffic and indicated that their office does not foresee any traffic issues. There is something from the Fire Rescue Department and asked what kind of fire prevention do they have in a building like this? Looks like a nice building from the outside and you really wouldn't know it was a storage center unless you belong to it. It will generate taxes and the people who work there the company will have to pay on their earnings. The people who work their will have to pay the Earned Income Tax, then asked, what kind of fire prevention does this building have?

Mr. Geonnotte indicated that was the intent to design it to not look like self-storage, that is what the applicant was asked to do. The building is fully sprinklered, all four floors. They do have regulations as to what can be stored in the facility as well. There are no flammable materials that can be stored in there. Full fire prevention, there is a lot that goes into the architecture, but when it comes to just fire suppression system, it is a full sprinkler system inside.

Councilman Knowles asked who will be running the facility? A company that runs these types of things?

The applicant replied yes.

Solicitor Murphy indicated that there is no outside storage and no separate building outside where you would put boats and things of that sort. Everything is self-contained climate control accessed only internally and is designed to look like an office building.

Council Secretary Wenzel indicated that there is a bunch of hedge walls around the property for runoff. If they collapse or have issues will the applicant replace them?

The applicant replied yes.

Council Secretary Wenzel indicated that the applicant will agree to take care of any stagnant water that has bottled up because the roadway will be disturbed.

The applicant replied yes.

Council Secretary Wenzel indicated that he noticed that the fence only goes around the property three quarters of the way.

Mr. Geonnotte indicated that was correct and the way that works is you want to have the ability for vehicles to come on to the site. If they want to get to the office or they want to be a new customer without having a keycard access, and any deliveries that were to come in, mail etc., they could just come into the front. There are two drive isles on either side of the building. In order to get into the facility where you can access the units, you have to go through a security gate which would then open for a personalized key code and then close behind them. The building is secure it's just that they have to maintain access along the front.

Council Secretary Wenzel indicated that in the event of storm issues, with anything that collapses, it will be taken care of by the applicant.

Councilman Kisselback motioned to approve the Lincoln Highway Self-Storage BSTO 10020, Tax Map Parcel 02-001-035 based on the May 14th, 2026 WK2 letter and the applicant will pay the Traffic Impact Fee of \$18,828.81 as well as the non-construction of curbs and sidewalks and will pay a fee of \$13,500.00 as well as \$24,030.00 and that would be for the sidewalks. Any other fees will be paid by the applicant. The applicant will be responsible for the trees and coordinated with the Township Engineer. Waivers: Sec. 196-61.(b).(1)., To allow for a pipe to be smaller than 18". A waiver was added to the record plan. Sec. 196-61.(b).12., To allow a pipe to have less than the required 2 feet of cover. Sec.196-61.(e).(7)., To allow for a 3:1 slope outside of the proposed aboveground basin whereas 4:1 is otherwise provided. **Councilman Knowles** seconded and the motion was denied 2-3.

8:40pm A brief recess was taken at this time.

10. **DECLARATION OF SUBSTANTIVE INVALIDITY OF PORTIONS OF THE BENSELEM TOWNSHIP ZONING ORDINANCE AND OF CURATIVE AMENDMENT PURSUANT TO SECTION 609.2 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE TO PROVIDE FOR AND/OR TO REVISE CERTAIN VARIOUS PERMITTED USES, TOGETHER WITH DEFINITIONS, REGULATIONS, AND OTHER SIMILAR PROVISIONS RELATING AND PERTAINING TO THE SAME, INCLUDING, BUT NOT LIMITED TO DATA CENTERS, SOLAR ENERGY SYSTEMS AND FACILITIES, AND WIND ENERGY SYSTEMS AND FACILITIES:**

Solicitor Pizzo at the behest of Council and the Mayor started to work on preparing an ordinance for the Township regulating data centers. That process started with taking a look at the Township Ordinance to see what it currently says. There is no specific definition in the Township Ordinance at this time to define a data center as we've come to know them in the last handful of years.

The next step was to start to gather information. They went to the County Planning Commission. They provided some insight as to what they've been working on. They have also looked at white papers model ordinances and other information from Planning Commissions in Allegheny County where Pittsburgh's located, Chester and Montgomery Counties, Lancaster County, York County, Cumberland County and Monroe County here in Pennsylvania. All of whom have either issued recommendations to local municipalities or in fact have put together model ordinances for the regulation of data centers.

They have also looked to see what communities had actually adopted any regulations and at this moment there are few who have. West Rockhill Township, here in Bucks County has, Upper Gwynedd Township has and East Manchester Township in York County are three that the Township looked at in terms of ordinances that are currently in place.

For as many different definitions and resources that the Township went to, there were no two that defined a data center in the same way. They are as sophisticated as a structure used primarily for the processing, management, storing and/or transmission of digital data that houses, and/or operates computers and/or computer network systems; and associated equipment related to digital data operations all the way to a building that has computer servers.

It is that sort of a broad spectrum of what different municipalities are defining or considering what a data center is. One of the first tasks that the Township had was that they got to figure out what the Township's definition of a data center is going to be. In making that consideration, not only did the Township have to figure out what constituted the data center, but what are the various accessory uses, which is a term of art in zoning ordinances. You have a primary use, which in this case would be the data center, however it is defined; and then accessory uses, things that would be on the property that aren't part of the primary use, but are necessary for the operation.

For the audience, your homes are the primary use of your piece of land. A shed in the backyard might be considered an accessory use, and a different set of regulations govern how close the shed can be to the side yard, how many square feet it can be. Those sorts of things that need to be taken into account, similar considerations for accessory uses for data centers.

Solicitor Pizzo is working with the Director of Building and Planning, Ken Farrall and Solicitor Ferris. They are watching the news and seeing that this is happening in communities all over the region, Pennsylvania and New Jersey. There are discussions taking place at the state level, let's see what the state has.

There are about 16 bills that are currently pending in the State House that in one way or another would affect data centers, where they can be located, how they impact electricity, what local municipalities can do. In one case, one of the Bills would call for a moratorium on the construction of data centers.

In speaking with Senator Farry's staff, at this point only one of those Bills is out of committee. And there is a Companion Bill pending in the State Senate as well, along with 4 other Bills, dealing with data centers. No laws have actually been adopted by the State House or the State Senate that specifically govern data centers.

The Governor's office has announced the Governor's Responsible Infrastructure Development Standards, the acronym is GRIDS. This is weighing into at least the things as the Township is looking at and trying to decide what works for Bensalem Township.

One of the things that they found as they looked at all of the information up to this point, is a lot of what is being generated today, in the form of model ordinances, proposed ordinances, at different locations throughout the state; largely envision the construction of a new, from the ground up, data center on a large piece of ground that was probably, at one point in time, a farm somewhere in Cumberland or Lancaster or Monroe County.

Not so much the repurposing of a building, 100,000 or less square foot warehouse, and that would seem to be, to some extent, the greater concern for Bensalem Township. The 100-acre farms were taken care of by development in the 60's and 70's. Today, what we do have are industrial complexes, warehouse facilities that could be 50,000, 70,000, 100,000 square feet; and while they wouldn't necessarily be useful to Amazon, who's building is over a million square feet up at the old steel mill, but 100,000 square foot building might be useful for a single user. A single business who needs the AI, the data storage, the cloud storage, whatever it is that the data center is being used for.

It needs to be taken into consideration as the Township is looking at all of this, not only the idea of somebody who wants to build the half a million or million square; but somebody who wants to come in and look at a 100,000 square foot building and repurpose that into a data center. One of the other things that became apparent was the myriad of issues that the data centers bring.

There's also the question, where is the Township going to provide for them in the Township. The Township can't say that they don't want data centers anywhere in the Township and they are going to ban them. Pennsylvania's Zoning Laws require for the Township to provide for every conceivable use of land somewhere in the Township. The Township does not have a specific use defined within our zoning ordinance or doesn't have a specific location for a use, a developer can come into the Township and essentially say, "Well, you don't provide for the use that I want to make of the land anywhere in Township."

Through a process that's called a curative amendment, I'm now going to declare a curative amendment and I am going to force my use on to a piece of land that I might own, which may not otherwise be a great location for it. But because the Township hasn't provided for it anywhere else in the Township, Pennsylvania Zoning Law says that use could potentially be imposed on that piece of land.

The Solicitor is speaking in a hypothetical, but what the Township has at the moment is that the Township now knows that there is a growing number of locations in the state that have a defined use of a data center. The Township now has a better understanding of exactly what the issues are that a data center entails. We now as a Township have to start to address those issues so that the Township is the one making the decisions, and not someone who's going to come in and trying to force it on the Township.

The Township has to define it, figure out where the Township wants them and has to decide, which are things already in the Township Zoning Ordinance for all other uses in the Township. How big a piece of land, what the minimum size has to be or what the minimum size of the structure has to be.

In addition to that, things that are dealt with all the time, perhaps with your own homes, side yard setbacks, building heights, impervious surface coverage, building coverage; all of those dimensional standards the Township now has to come up with for Bensalem Township for data centers. Those are things the Township normally has; they are throughout the Township's Zoning Ordinance today.

One of the other issues that has clearly become a hot button topic on data centers is energy, sourcing of energy to operate the data centers. They clearly require a significant amount of power, typically electric, to operate all of the servers that are in the building together with the cooling systems that are necessary to cool the building and keep the servers cool.

The Township needs to determine what the primary source of the power can be and whether that can be located on the site. What type of backup power, because if the primary source goes down, they're going to be looking to have backup generators to keep the system running? Or else, quite frankly, your phones are going to stop working, your laptops are going to stop working. They are going to want to have the backup power as well. And whether the backup systems can be on site and what they can be. Whether they are going to be generators, or electrical substations, or batteries, or solar powered. Or, whether they are going to be wind power.

All of these things are things the Township has to now take into consideration as they are looking at data centers. There is also the question of utility lines, because if the power is coming from PECO, from an outside source, how are the power lines going to get there? Where are the power lines going to be located? Are they going to be above ground? Do they have to be underground? The same is going to hold true, likely, for fiber optic cables that are used in the transmission of the data.

There are similar issues with the transmission of the data that may require cell towers. They may be looking to communicate with the cloud by way of a cell tower rather than through fiber optic cables.

The cooling of the buildings, whether it is going to be done by AC units, where the AC units are going to be, are they going to be roof mounted? Or is the Township going to require them to be on the ground? How are they going to be powered? Water is being used to cool some of these facilities in some locations that is potentially being drawn out of the Delaware, out of the Neshaminy Creek. But it is an issue that needs to be taken into consideration because some of these facilities are water cooled. And in some cases, it may require the construction of a water tower on the property to store the water in case the water supply somehow gets interrupted.

There is a question of noise, which was near and dear to the hearts of everybody in this room. Noise that might be generated by the servers. Noise that might be generated by the air conditioning. Noise that might be generated by electric generating facilities located on the property. Is the Township going to require sound walls? Is the Township going to require buffering? What are the noise standards that are going to be applied to the property? What are the decibel levels going to be set at? How is the Township going to measure those? All of these are things that potentially need to be included, or at least part of the process, in coming up with the Ordinance.

The aesthetics of the buildings itself. What is the Township going to require of these buildings? One of the things is going to be height, but what are the buildings going to be required to look like? And along with that, what kind of landscaping? Or other considerations like how far back from the road are they going to be required to sit?

Security becomes an issue. What kind of security are they going to be required to function?

Emergency Services, are they going to be required to have an emergency response plan? If one of these buildings catches fire, the Townships' First Responders need to get in and how best to deal with it.

Finally, if these become obsolete in another 20 years and they start to decommission, what are going to be the requirements for taking these buildings out of service?

These are just a few and the list of what the Solicitor just has explained is largely the lion's share of issues that are in starting to put together an ordinance, which the Township realizes that they were going to have to address. Whether they will actually all be in the ordinance or not is still part of the process, but these are all issues that need to be taken into consideration. In some cases, some of the issues are already governed by the state. A lot of the environmental issues, have already state environmental laws in place but the Township needs to acknowledge what those are and make sure that the Township is dealing with them as well.

Council President Tokmajian indicated with that on the agenda, could Solicitor Pizzo summarize for Council the Resolution?

Solicitor Pizzo indicated that he had consulted with the Mayor and Council President and suggested that rather than start a process of announcing that the Township was going to adopt an ordinance; going through that lengthy process and perhaps opening the door to somebody coming in and beating the Township to the punch. There's a process in Pennsylvania Land Use and Zoning Law, a curative amendment. Generally, they are undertaken by land owners to challenge the Township's zoning ordinance, but the State allows for the Township to declare its own curative amendment, a municipal curative amendment. It allows the Township to say, hey, you know what, we acknowledge that our ordinance is deficient. It doesn't adequately address this new and ever-changing technology; and in real time, it gives the Township the ability to say, "We're going to take a break and we're going to fix and create a zoning ordinance to address data centers."

The Solicitor prepared for the Township a Resolution which is a declaration of substantive invalidity for portions of the Townships' Zoning Ordinance. In one parenthetical, in looking at the Townships ordinance what was realized was that not only do they need to address data centers, but they do have on the books provisions for solar energy systems. These were put into place about 15 years ago when solar energy was becoming more prevalent in the township. But the Township's ordinance doesn't take into account someone creating a solar farm; either on the data center property, or on an adjacent property to help power this thing.

Not only is it being suggested to Council that the Township come up with regulations for a data center, but also that they take a new look at the Township's solar energy provisions; and make sure they reflect conditions in 2026 and also reflect the needs of the data centers. On top of that, the Township's ordinance doesn't provide for wind generation, wind power anywhere. The Township wants to correct that as well as part of this process.

Solicitor Pizzo read the pertinent part of the Resolution publicly and into the record:

1. The Township Council has determined and hereby Declares the substantive invalidity of the Bensalem Township Zoning Ordinance as it fails to adequately define and regulate certain various uses, as well as to provide for their permissibility in specific Zoning Districts of the Township; which such uses include, but are not limited to the use commonly referred to as a Data Center, together with all such similar, accessory and appurtenant uses thereto.
2. The Township Council has determined and hereby Declares that Section 232-60, et. Seq. of the Bensalem Township Zoning Ordinance, entitled Solar Energy Systems Overlay, may be substantively invalid; as it requires various revisions, including, but not limited to, revisions to reflect changes in solar energy uses and technology since the time of its adoption, together

with revisions to the definitions, regulations, and specific Zoning Districts of the Township within which Solar Energy Systems, and Solar Energy Facilities, together with all such similar, accessory and appurtenant uses thereto, are permitted.

3. The Township Council has determined and hereby Declares the substantive invalidity of the Bensalem Township Zoning Ordinance as it fails to adequately define and regulate certain various uses; as well as to provide for their permissibility in specific Zoning Districts of the Township, which such uses include, but are not limited to, the use commonly referred to as a Wind Energy System, together with all such similar, accessory and appurtenant uses thereto.

The Township Administration and the Township Solicitor are directed to review the Bensalem Township Zoning Ordinance to determine whether any other currently existing defined uses and definitions and/or regulations applicable thereto require revision at this time; and whether additional uses and definitions and/or regulations applicable thereto, should be added Bensalem Township Zoning Ordinance.

Solicitor Pizzo indicated what that last part means is that while the Township undertakes this process, if there is something else that the Township identifies that isn't among the three categories that he specified, Council is giving the direction to include them as well.

Council President Tokmajian asked if it limited Council to a certain amount of time for this curative amendment?

Solicitor Pizzo indicated that was correct. In the next 30 days the Township will undertake the review to see if there is anything else that the Township should be included. If so, it will come back to Council within the next 30 days.

The clock starts running this evening once Council adopts the Resolution. The Township has 180 days to adopt a new Ordinance that would address data centers, solar energy uses and wind uses.

The Township did a thorough review because once they undertake the municipal curative amendment, the Township is prohibited from doing it again for a period of 36 months. Once the Township comes up with a set of regulations, those are the regulations in place. During this next 180 days, nobody can come into the Township and say "Well, you don't have a data center in your zoning ordinance, so I am coming in and you have got to let me put it in a LI District or DI District or a BP District." That can't happen and that is the important aspect of declaring the municipal curative amendment. It buys the Township some time and some breathing room to get the zoning ordinance in order and address this very important aspect.

The Township is hoping for some additional direction coming out of Harrisburg. There seems to be some concern that local municipalities don't have "all the tools in the tool box" to deal with this. One of the other aspects being discussed in Harrisburg is that the energy use is a concern because in some regions what is happening is they are drawing the electric off of the grid, and the local energy providers are unable to keep up; and it is resulting in a myriad of problems regarding energy supply in those areas, including increased electric rates.

One of the things being dealt with in real time and the PUC is involved with this as well, is coming up with some regulations that require these data centers to be somewhat self-sufficient. That they are not drawing the electric off of the grid and affecting having that domino effect, but rather they've got to provide their own. Which is good as far as people's pocketbooks are concerned, but perhaps not so good in as it deals with land use because if the data center can't draw the power of the grid. Then, they're going to look to generate it on their property.

Solicitor Pizzo indicated that he is hopeful that the rather long explanation might take care of a number of the questions that the audience may have. And to the extent that they were concerned that the Township is not being proactive, your government is, and the Township is hopefully ahead of the curve on this.

Council President Tokmajian indicated that he had asked Solicitor Pizzo to provide a draft of the first initial ordinance be provided to Council and then Council can make their comments and provide an additional item that Council will want to see added to that ordinance. Council can email Solicitor Pizzo with any suggestions for the ordinance and any comments from the public this evening and asked for that draft by September 1st.

Council Vice President Sloane asked Solicitor Pizzo if he was aware of any applications that have been submitted to the Township for any data center project?

Solicitor Pizzo indicated that he is aware of a request for a zoning certification that came in some time ago for a property in Trevoise. But at this point no formal applications have been made for the site. Just at that point, a request for whether or not the use would be permitted under the current zoning of the property.

Council Vice President Sloane indicated this Resolution would essentially pre-empt that, so that the Township could have their time to figure out the code.

Solicitor Pizzo indicated that is our belief. For purposes of full disclosure, if the property owner were to come in tomorrow with a set of applications and say "well you gave me a Zoning Cert, and relied on that to go about doing X, Y and Z." The Township is probably in a legal battle.

Council Vice President Sloane indicated that the clock is ticking, they have 6 months, Council will see a draft Ordinance within 3 months. His personal view is to not to wait for Harrisburg because they have already published information. The State has already laid out a lot of guidelines for municipalities to follow. He doesn't feel they should have to wait for additional legislation. The guidelines are there, let's move with them.

For the public he wanted to let them know from his list what the new code needs to at least consider, if not include, and that does include utility demand. There are a lot of regulations out there that are requiring data center developers to bring their own energy. Noise issues, generator use and placement, usage of water and how all of that utility factors into Utility rates, like PECO rates, water rates from Aqua and the Bucks County Water and Sewer Authority. Building size and height, setbacks, screening and buffering, emergency response. Decommissioning of these facilities if and when they do close. Job creation, what is the benefit to the Township, to the residents, to our local businesses. These are just some of the concerns.

He is aware that there are a lot of folks here this evening with these very similar concerns, wanted to make sure his list of concerns that he put together before the meeting gets addressed, and he will make sure that his list does get sent to the Township Solicitor.

Solicitor Pizzo indicated that every item Council Vice President Sloane mentioned was somewhere in his recitation this evening and indicated that they have him covered.

Councilman Knowles asked Solicitor Pizzo how big is the Falls Township data center that is on the steel mill property? Has that been approved and moving forward?

Solicitor Pizzo indicated that it was approved and under construction.

Council Vice President Tokmajian indicated that it never came in front of the Bucks County Planning Commission. The use was not specified in the project plan for Falls Township. The project came in front of the Bucks County Planning Commission, at that time there was no data centers that were involved in discussions.

Solicitor Pizzo indicated that the building that's currently under construction is in excess of a million square feet and believes Amazon is ultimately the end user of what's being built in Falls. One of the other things that the Township did in the process was that he visited a data center in Upper Providence which was a sole user for their needs. It is nothing like Amazon.

Councilman Knowles asked if the Governor was for or against these facilities?

Council Vice President Sloane indicated that if you don't follow these heavy restrictions and play by the rules of the State and they are pretty strict about what those regulations are, if you try to go around them you are going to fail. They are voluntary now because we lack the legislation in the State at this point. However, if they follow the rules then it opens up funding pathways and subsidies and things of that nature.

Councilman Kisselback indicated that what he would be most concerned about them is being self-sustaining and they don't have to go to an outside source for energy, as well as the size of the property. There would have to be some type of ordinance that would relate to the different sized projects.

Public Comment: Agenda Item 10:

Please go to the You Tube site to hear the full content of each comment.

2:22:00

Emily Rose Patz, 6241 East Drive, indicated that she wants data center protections, updates to zoning to make it untouchable for developers who would usher in data centers that would pollute our air and water and steal our electricity and then charge us for it! These developers decimate our property values.

2:27:45

Kevin Tiltner, 600 Old Street Road, indicated he uses AI every day. It matters where technologies are deployed, what they consume and who they benefit. He explained how the data centers are not "the cloud" just an industrial building full of overheated hardware.

2:34:20

Karl Guenzel, 1319 Woodbine Avenue, indicated that he works in data centers and indicated that most of the people in chambers has the modern adaptation of data centers which are these AI mega structures. With the idea they would be generating on-site power, the amount of noise pollution is obscene. The big part of the Township's job is to define what a data center is and it seems like the Township has honest things in the works to put things in place to protect Bensalem Township.

2:38:15

Joanne Miller, 5061 Winfield Court, indicated that she would like to see a prohibition or a moratorium of building data centers in Bensalem Township. These centers place enormous strains on the power grid, enough to power 80,000 homes along with an exorbitant amount of water to cool them. Other communities who have these data centers complain about water pressure and the muddy color of their water. The turbines create ground vibrations and noise pollution. Please say no to any data centers in our town.

2:41:42

Rochelle Porto, 2460 Brandon Court, indicated that a lot of her questions were answered this evening. She spoke of a Barbara Glam, who resides in York County, has farmland in the norther part of York County her land was taken by eminent domain and told her that they were going to put up 18 data centers on her farmland, which has been rendered useless if ever decommissioned. Europe has a lot of good avenues for these facilities to self-generate their energy as well as their cooling through small nuclear plants. Water filtration needs to be considered and no non-disclosure agreements.

2:45:37

Brian Simons, The Grand at Neshaminy Apartments, indicated worst case scenario, a data center goes into place, there is no local job creation at all. The ordinance should be as strict as possible. He appreciated the Council's and Solicitor's points on the creation of the ordinance which showed him how much respect was in place for the community.

2:47:57

Annie Hasty, Maryland Avenue, spoke on public health implications of data centers. They consume enormous amounts of water and electricity depleting the natural resources and straining the power grid. These centers can utilize 5 million gallons of water a day. When data centers are built residents are taking on the exorbitant amount of electricity that is utilized. Noise pollution from these centers can cause or exacerbate hearing loss, sleep disturbance, hypertension, cardiovascular disease, type 2 diabetes, cognitive decline, memory impairment, attention deficits and childhood hearing delays. Data centers jeopardize the health and well-being of the residents.

2:50:34

Wayne Bell, 704 Hood Boulevard, Fairless Hills, indicated that nuclear energy is the only way to go. A lot of the data center around the country are not using solar power or wind power. The Amazon AI data center at the old US Steel site in Fairless Hills is a disaster wrapped in a local non-disclosure agreement. Falls Township failed to negotiate protections for the environment, water table and state power grid.

2:57:38

Jen Mezer, Falls Township, thanked the Bensalem Township board for really looking at everything ahead of time. It has been difficult for the residents in Falls Township. They went to the Bucks County Commission for assistance. There is this thing called bioaccumulation and over time when you have dirty water that is being placed back into the environment you have the

fish and the animals that drink it, and it just keeps getting magnified and bigger. It is amazing that Bensalem Township is stepping back and seeing this huge avalanche that is happening and thanked the board for looking into data centers.

3:04:11

Alex Stanchak, 2919 Carter Road asked if he could get a guarantee from the board that if there is anything coming that they will say no and asked for an individual statement from each member whether they are for or against data centers.

3:05:06

Mary Pica, 6163 Mark Circle, indicated that she is very involved in keeping our waterways clean. Please do not allow the destruction of the work they have done and the clean water we cherish.

3:05:39

Brian Allen, 2627 Woodsvie Drive, appreciated all of the neighbors coming out and sharing their concerns and thanked Council for being so pro-active on this. Mr. Pizzo did a good job of laying out the challenges in front of us. The curative amendment is very creative to give the Township a 180-day moratorium for the Township to do the work that needs to be done to help protect our community.

Council President Tokmajian spoke to the audience and told them that they are not wasting their time and that message has to be made clear to every single person that came here this evening or is out there that's listening to this meeting. He reminds himself every single day why he is here and who put him there. This is not their Council Chamber's it is the constituents. They are with them and they hear them.

Council Vice President Sloane motioned to accept the Resolution as presented. **Councilman Knowles** seconded and the motion carried 5-0.

Tara Diamond, 4711 Indian Spring Avenue, indicated that with the building being so large in Falls Township, knowing the damages that could be done to human life, wildlife, and the environment, is there a distance required between data centers? She read a couple of different things on line, with Bristol Township being approximately 5 or 6 miles away from Bensalem, is that too close to have another data center?

Council President Tokmajian indicated the idea of passing this Resolution is that Council is going to define what the ordinance is going to look like here in Bensalem.

Just a couple of bullet points: eminent domain, non-disclosure agreements, health concerns, bio accumulation, distance to other data centers. Council is looking forward to the draft of that ordinance. The Township will advertise that, when it comes up in front of Council again. The public will then again have the ability to review that ordinance and comment with any changes or suggestions.

The Mayor indicated that the administration will work as hard as they can to make it as tough as they can and doesn't think any data centers are going to want to come to Bensalem.

Council Vice President Sloane indicated that if any constituents have any additional concerns to reach out to the Mayor's office or to council where their information is on the website. Typically, when the ordinance gets posted, you will have to come to the Township to get a copy of it. There is also an option and they can figure this out as they move forward where they have a meeting where they discuss what the draft is, get some feedback. The 180 days that they bought

tonight gives them that time. They will have a draft ordinance to look at within 3 months. Thanked everyone for coming out.

11. **CONSIDERATION OF A RESOLUTION FOR ACT NO. 537, PA SEWAGE FACILITIES ACT, PLAN REVISION FOR NEW LAND DEVELOPMENT OF A PARCEL IDENTIFIED 1186 BYBERRY ROAD:**

Solicitor Pizzo indicated that this is a land development approval that has been previously approved. One of the conditions of approval, as is the case with all land development in the Township, if a new sewer or additional sewer is required the property owner has to go through the Act 537 approval process to assure that sufficient capacity exists in the collection and treatment facilities for the sanitary sewage generated by the property.

The applicant has submitted its Act 537 applications to the State DEP. The County Water and Sewer Authority has certified that sufficient capacity exists in the conveyance systems. The City of Philadelphia Water Department who treats the sewage has certified that sufficient capacity exists in their system to treat it.

The Resolution is in a form required by the DEP and the Administration recommends the consideration of this Resolution.

Councilman Knowles motioned to approve the Resolution for 1186 Byberry Road for Act 537, PA Sewage Facilities Act as presented. **Council Secretary Wenzel** seconded and the motion carried 5-0.

12. **CONSIDERATION OF A RESOLUTION FOR ACT NO. 537, PA SEWAGE FACILITIES ACT, PLAN REVISION FOR NEW LAND DEVELOPMENT OF A PARCEL IDENTIFIED 3743, 3805, 3825 HULMEVILLE ROAD:**

Council Vice President Sloane indicated that there is a note that the original Act 537 was approved on February 9th earlier this year and this is just a revision based on what exactly?

Solicitor Pizzo indicated that Council did previously approve a Resolution for this. The Resolution is a pre-cursor to the applicant getting approval from the DEP. Once everything was submitted, apparently there were some issues on the State end that required additional submissions by the Masjid to the DEP, which were made which a new Resolution is required because it does vary from what was previously submitted.

Council Vice President Sloane motioned to approve the Resolution for Act 537, PA Sewage Facilities Act plan revision for new land development of a parcel of land identified as 3743, 3805, 3825 Hulmeville Road. Council Secretary Wenzel seconded and the motion carried 5-0.

13. **MOVED BY THE REQUEST OF THE APPLICANT TO AGENDA ITEM #4A, APPROVED BY COUNCIL.**

14. **CONSIDERATION OF A REDUCED PERMIT FEE FOR ST. GREGORIOS ORTHODOX CHURCH LOCTED AT 4136 HULMEVILLE ROAD:**

Council Vice President Sloane motioned to approve the reduced permit fee for St. Gregorios located at 4136 Hulmeville Road. Council Secretary Wenzel seconded and the motion carried 5-0.

15. **PUBLIC COMMENT:**

Council President Tokmajian asked if there was anyone in the audience who would like to speak. The following constituents came forward:

Kevin Tiltner, 600 Old Street Road, indicated that he is for decolonization and giving land back to the Lenape.

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

16. **OTHER BUSINESS:**

Councilman Knowles indicated that it was a good meeting. Council is getting on top of data centers and appreciated everyone's concerns. Please keep the St. Charles School community in your prayers, unfortunately their Principal, Molly Quinn, passed away at the very young age of 46.

Council Secretary Wenzel indicated that he did not realize in this community so many people using SNAP and other different benefits. One in every five toddlers in this community uses SNAP or some kind of assistance. Sent emails to the local Federal politicians for assistance. If at all possible, drop a few items at your local food pantry.

Solicitor Pizzo echoed Councilman Knowles sentiments regarding the untimely passing of Principal Quinn.

Councilman Kisselback indicated June 19th is Juneteenth and in 1866 it was declared by General Granger the freedom of the slaves. It is important today to love all your brothers and sisters.

Council Vice President Sloane congratulated all of the graduates. Summer is upon us, be safe, have fun and enjoy the summer break. Same for the teachers a special thanks and acknowledged Council President's wife who is a teacher.

Council President Tokmajian congratulated all of the graduating students and congrats to the teachers who have 2 months off. Thanked Solicitor Pizzo for the work with the ordinance and believes they are well ahead of the game.

17. ADJOURNMENT:

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

The Bensalem Township Council Meeting of June 8th, 2026 can be viewed in its entirety at the following websites:

www.bensalempa.gov or www.youtube.com

Respectfully Submitted,

**Debora F. McBreen
Recording Secretary**