

**BENSALEM TOWNSHIP COUNCIL
COUNCIL MEETING MINUTES**

**Monday
January 23rd, 2023**

MEMBERS PRESENT:

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

SUPPORTING PERSONNEL:

Debora McBreen, Council Clerk/Recording Secretary
Quinton Nearon, Senior Municipal Inspection Manager
Joseph Pizzo, Township Solicitor
Phil Wursta, Township Engineer

PLEASE NOTE:

The minutes are not verbatim but rather a synopsis of what transpired during the meeting, and while I do my best to attribute remarks and questions to the correct individual, there may be mistakes or omissions because of the “back and forth” dialogue and the lack of the use of the microphone.

1. OPENING OF THE MEETING:

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

2. PUBLIC COMMENT:

Council President Kisselback indicated the Public Comment will be heard at the time the agenda item is heard. Seeing no one come forward the first of two Public Comments was closed.

3. APPROVAL OF COUNCIL MINUTES:

Councilwoman Benitez motioned to approve the January 3rd Minutes as presented. **Council Vice President Pilieri** seconded, and the motion carried 5-0.

4. **CONSIDERATION OF A MINOR SUBDIVISION/LAND DEVELOPMENT FOR:**

Applicant: Rulon and Cook, Inc.
Location: 3250 Oakford Avenue
Proposed Use: Office
Zoning Classification: LI- Light Industrial
Tax Parcel: 02-004-307

Heath Dumack, Dumack Engineering, representing the applicant. The site is currently developed with two existing buildings and other site improvements. The proposal is for a 780 square foot two-story addition within the portion of the property.

There were a series of variances which were granted on June 2nd, 2022 for impervious surface ratio, and to permit a side yard setback of 8.09 ft.

The applicant is asking for 12 waivers. The following is a list of waivers from the applicant:

1. Sec. 201-41.(d).(9) – Requiring plan to show all existing features within 400 feet.

Mr. Dumack indicated they are asking not to show all detail of the 2-acre lot.

2. Sec. 201-41.(d)(11)a – Requiring plan to show all existing easements and utility right of ways within 50 feet.

Mr. Dumack indicated the reasoning for waivers number one and two is due to the request of the plan to show all existing features within 400 feet around the perimeter property. This would consist of 20 acres of additional survey, which for a 780 square foot addition, seems to be a bit much.

Council President Kisselback inquired if there was an alternative to having the property surveyed. Mr. Dumack indicated he could provide an aerial photo.

Council President Kisselback indicated it would be the minimum requirement and asked for further clarification from the Township Engineer. Mr. Wursta indicated the Township has accepted aerial photos from other developments showing features outside of the impacted area.

Mr. Dumack indicated he would document any of the utility easements that are on the property.

3. Sec. 201-41.(d)(11)g. - Requiring plan to show water, sanitary sewer, storm lines and all other drainage facilities with size and materials labeled.

Mr. Dumack indicated the addition is butting up against and extending from the original office building. There are no utilities in the area being disturbed.

Engineer Wursta indicated, with this particular one, there are drainage facilities associated with the site. It would be helpful with an overall perspective with regard to stormwater management within the Township.

Council President Kisselback agreed that Council would like to know what is on the property because there could be a service the Township is unaware of.

Mr. Dumack indicated he had no problem with mapping out the water and sewer for that area.

4. Sec. 201-43.(a).2.e. – Requiring lighting plan to be submitted.

Council President Kisselback indicated he understood the location of the property and did not think there was much activity on the property, and asked Mr. Dumack why he would not have the appropriate lighting.

Mr. Dumack indicated most of the site, in essence, is an equipment yard. The majority of the staff are out at jobsites with the heavy equipment. In-between jobs, the equipment will come back to the yard for maintenance, service, then proceed on to the next job. Mr. Dumack suggested possibly doing a lighting design for the office parking.

Council President Kisselback agreed that would be an excellent proposal to prepare a lighting design for the office parking.

5. Sec. 201-43.(a).2.f. – Requiring a utility plan to be submitted.

Mr. Dumack indicated this waiver is now a will comply.

6 Sec. 201-2.(a) - To permit Preliminary/Final Submission

Council President Kisselback indicated this request may be a Preliminary, if the Council deems it to be appropriate.

7. Sec. 201-104.(b)(1) – Requiring curbing along the frontage of Oakford Avenue.

Mr. Dumack indicated that driveway and the frontage on Oakford, is not utilized. It has been fenced off and gated.

Council Vice President Pilieri asked the Township Engineer if there were any curbs and sidewalks in that area.

Engineer Wursta indicated there were no curbs and sidewalks in that area, and there is normally a request for a fee in lieu of.

Council President Kisselback indicated there would be a fee in lieu of the curbs and sidewalk installation.

Mr. Dumack indicated his client agreed to the fee in lieu of.

Council President Kisselback indicated he was just informed that a resident was having a problem viewing the Council meeting and asked for Deron Miller to come to Chambers.

Deron Miller, Production/Electronic Media, indicated all cable outlets, except for Comcast, were clear.

8. Sec. 201-106.(a)(2)a.6. – Prohibiting grading within 3 feet of any site property line.

Mr. Dumack indicated the grading is occurring between Cook and Cook, the adjacent property is also owned by Cook.

9. Sec. 201-109. – Requiring plans to show all easements and underground utilities.

Mr. Dumack indicated this item is no longer a waiver request, but a will comply.

10. Sec. 201-111.(a) – Requiring sidewalk along the frontage of Oakford Avenue.

Mr. Dumack indicated to pay the fee in lieu of the installation of the sidewalk.

11. Sec. 201-112.(o) – Requiring a lighting plan be submitted with isolumin footprints.

Mr. Dumack indicated they are fine with this as long as they are doing it just for the office area and finding out what the grade is of the other lights on the property.

12. Sec.- 201-114- Requiring outdoor collection stations to be provided, screened, and landscaped when indoor collection is not provided.

Mr. Dumack indicated the applicant will be doing indoor collection.

Council President Kisselback asked where the indoor collections were disposed.

Mr. Dumack indicated there is a large warehouse shop where the indoor collection is disposed.

Councilwoman Champion asked if all the trash was picked up at the large warehouse.

Mr. Dumack indicated the trash is picked up from the large warehouse.

Council President Kisselback asked Mr. Dumack if the rest of the TPD review letter dated January 18th would be in compliance. Mr. Dumack indicated his client would comply with the rest of the TPD letter dated January 18th.

Mr. Dumack indicated this application was submitted as a Minor Land Development and is requesting a full approval as a Preliminary and Final Land Development, with a condition they will work out the remaining items with the Township Engineer.

Engineer Wursta indicated it would be acceptable to give a full approval as a Preliminary and Final Land Development.

Traffic Engineer Wursta indicated the applicant will be required to install bollards to prevent vehicles from colliding or crashing into the building, and will need to provide the ADA Accessibility.

Council Vice President Pilieri indicated if Council were to make the request of a Preliminary and Final with the added restrictions, that it would have to come back to the Township Engineer and the Township Solicitor for review before they could move forward.

Solicitor Pizzo indicated he was provided the proofs of mailing to the adjacent properties and they appear to be in order. Mr. Pizzo stated he did not receive a copy of the notice. Mr. Dumack indicated he would provide the notice to Mr. Pizzo by the next morning.

Council President Kisselback asked if anyone in the audience would like to comment for or against this project. Seeing no one come forward the Public Comment was closed.

Council Vice President Pilieri motioned to approve with the condition of preliminary and final, with the caveat that it has to be approved by the Township Engineer and the Township Solicitor. Everything the applicant agreed to be responsible for, including a fee in lieu of the curbs and sidewalk installation, along with the Impact Fee.

Council President Kisselback added specifics to Council Vice Presidents Pilieri's motion as follows: Page 5 of the TPD Review Letter dated January 18th will grant the waiver for 1 and 2 and supply an aerial photo. The applicant will comply with number 3, a waiver will be granted for number 4 with the exception of the office area which will be specifically addressed regarding the lighting. Number 5 the applicant will comply. A waiver will be granted for number 6, number 7 and the applicant will pay a fee in lieu of, regarding the curbing along Oakford. A waiver will be granted for number 8 with prohibiting grading of 3 foot. The applicant will comply with number 9. A waiver will be granted for number 10 and 11 and the applicant will address the office area regarding the lighting. A waiver will be granted for number 12.

Solicitor Pizzo added that all other items in the TPD review letter dated January 18th are will comply items. Anything that wasn't specifically outlined by Mr. Pilieri in his motion that was clarified by Mr. Kisselback and the January 19th traffic review letter is also a will comply.

Council Secretary Knowles seconded and the motion carried 4-1.

5. **CONSIDERATION OF A PRELIMINARY AND FINAL LAND DEVELOPMENT FOR:**

Applicant: BCME Property Management, LLC c/o Edward Rodgers
Location: 4851 Street Road
Proposed Use: Addition – Honest Real Estate
Zoning Classification: BP – Business and Professional District
Tax Parcel: 02-004-184-001

Keith Marshall, P.E. with CMC Engineering, and Mr. Ed Rodgers who is the proprietor of Honest Real Estate.

The applicant is proposing to renovate the existing house into an office for the real estate business. The addition would be a one-story, 722 square foot addition to the back of the building. As part of the proposal, the applicant would have an entrance off of Street Road on the eastern side of the property. It would loop around to a parking lot in the rear and then exit on the western side of the property back onto Street Road.

The applicant has requested waivers and will comply with all of the other comments from the TPD review letter dated January 18th.

The applicant is requesting the following waivers:

1. Sec. 201-41(d) – to not require existing utilities within 100 ft.

Mr. Marshall indicated he submitted a context aerial plan in lieu of, providing a full survey of 100 feet in all directions.

2. Sec. 201-41(f) - to not require a formal wetlands certification.

Mr. Marshall indicated the property is manicured and there are no wetlands on the site and did not feel it would be necessary to provide the full certification by a Wetland’s consultant.

3. Sec. 201-104(b)(1) – no sidewalk along Street Road and no curb, sidewalk or additional ROW/Cartway width along Lang Avenue.

Mr. Marshall indicated there is no sidewalk in the area on either street. That was the impetus for that request regarding the sidewalk. Regarding Lang Avenue, the Township does not want to expand that right-of-way. However, the applicant has provided their setbacks if for some reason down the road additional right-of-way would be required. The applicant would be compliant, if for some reason the Township would want the right-of-way.

Council President Kisselback inquired if there was any traffic coming on or off of Lang Avenue.

Mr. Marshall indicated yes, and another reason why the applicant requested the variances and waivers they needed because of the unique property. The applicant wanted to keep all of the traffic off of Lang Avenue. Everybody accesses and egresses from Street Road.

Solicitor Pizzo indicated to the Township Engineer that the plan seems to show the 25 foot of additional right-of-way on Lang Avenue.

Mr. Marshall indicated the applicant was requested to show the future right-of way, but it is not being offered for dedication, and is the reason why the applicant has asked for this waiver.

Council Vice President Pilieri indicated it should not be shown at all as it will give the applicant the option to move forward in the future for the right-of-way.

Solicitor Pizzo inquired why the Township wouldn't want the right-of-way dedicated even if there are no future plans. If someone wants to do something, then the Township will have to obtain the right-of-way, why not dedicate it now.

Engineer Wursta indicated the Township certainly could, but didn't seem to think the Township needed to obtain the right-of-way.

Council Vice President Pilieri indicated the Township has never allowed access from any of the businesses in that area onto Lang Avenue, they had to exit and enter from Street Road.

Councilwoman Champion asked if the properties on either side have been dedicated.

Mr. Marshall indicated he was directed by the Township consultants that the Township did not want that right-of-way. In order for the applicants plan to be compliant, and the applicant not showing the right-of-way, that it would essentially allow the expansion of Lang Avenue. The applicant requested the waiver from dedicating that 25 foot of right-of-way. The applicant stressed in no way do they want to come back and make a connection to Lang Avenue.

Engineer Wursta indicated the Township does not need that right-of-way, the surrounding properties do not have that right-of-way. It is an old designation regarding a 50-foot right-of-way for that section. If the Township deems it important to get, or it be offered for dedication in the future.

Solicitor Pizzo indicated, based on all of the comments he has heard they should proceed as the letter suggest and waive the requirement that they give the Township 25 foot of right-of-way.

Council Secretary Knowles asked if there was any drainage along the 75-foot buffer.

Mr. Marshall indicated the applicant is putting a rain garden back in that area to manage the stormwater from the proposed improvements, and will actually slowdown the water that is coming through that area.

4. Sec. 201-104. – to not allow the 50-foot right-of-way on Lang Avenue.

Mr. Marshall indicated this was combined with the waiver request of number 3.

5. Sec. 201-106(2) – to permit grading within 3 feet of the property line.

Mr. Marshall indicated because of the unique shape of the property and the existing building, the applicant will need to grade within 3 feet of the property line.

Council Vice President Pilieri inquired about the parking lot and indicated there is not a lot of space between 4753 and the applicant's property, and wanted to know how close they would be.

Mr. Marshall indicated there is about 2 feet on either side where the driveway comes through.

Council President Kisselback asked what kind of buffer does the applicant have between the two properties

Mr. Marshall indicated the applicant is providing a 3-foot buffer per the zoning variance the applicant received.

Council Secretary Knowles indicated the applicant is going from no driveway entrance to having two and wanted to know if PennDOT was okay with the setup.

Mr. Marshall indicated they are working through the PennDOT permit know and they do not foresee any issues. There is an existing curb cut on the western side and you can see at one point, there was a driveway.

Council Secretary Knowles indicated the property will have a driveway in and a driveway out. Mr. Knowles indicated the only parking will be located in the back for 11 cars.

Mr. Rodgers indicated he is typically a remote company who employs 75 agents. This location will be the main headquarters. On an average day there will be 9 agents physically in the office.

6. Sec. 201-108. – to permit double frontage as a non-conformance.

Mr. Marshall indicated he is asking for a waiver, this is an existing non-conformity.

7. Sec. 201-111 – no sidewalk along Street Road and no sidewalk along Lang Avenue.

Mr. Marshall indicated the applicant is asking for a waiver regarding sidewalks.

8. Sec. 201-112.(d) - to permit planting strip parallel to the BMP and the proposed parking to be 3 feet.

Mr. Marshall indicated the request for the waiver to be 3 feet is because of the logistics of the property.

9. Sec 201-112.(h) – to permit parking areas with 15 feet of drive of property lines.

Mr. Marshall indicated with the unique characteristics of the property the applicant needs this waiver just to get their proper movements through it.

Mr. Marshall indicated he did meet with the Fire Marshal on site to review his issues and provided an updated letter, and will comply with all of those issues.

Councilwoman Champion indicated for the access roads, to have hard curves at the end so not to run over the grass as you would with soft curves.

Mr. Marshall indicated he would speak to an engineer for this recommendation.

Council President Kisselback questioned the width of the entrance and exit at 17 foot and asked the applicant if he could make it wider.

Mr. Marshall indicated he would speak to PennDOT regarding widening both the entrance and exit to see if this is acceptable.

Councilwoman Benitez asked if it would be possible to curve in on the entrance and curve out for the exit.

Mr. Marshall indicated they would certainly see what they can do with that as well.

Engineer Wursta indicated these were all good concerns and definitely work with PennDOT regarding the entrance and exit of the property.

Councilwoman Champion asked if they could put up giant entrance and exit signs.

Mr. Marshall indicated they will be required to put up One-Way signs, plus a Do Not Enter sign on the eastern side of the eastern exit.

Council President Kisselback asked the applicant how many clients do you expect to entertain in a day's time.

Mr. Rodgers indicated that being remote, everything is done through texting and on a daily basis, there are not clients coming in and out.

Engineer Wursta indicated in regards to the rear right-of-way, where the 25-foot right-of-way is located, and asked if the Township wants the right-of-way. Or is the Township granting the waiver.? Clarification is needed.

Solicitor Pizzo indicated since the initial discussion on the future right-of-way at the rear of the property, there was a discussion on parking; and Mr. Kisselback's suggestion was that, since the applicant was not taking additional right-of-way, that the stormwater facilities could be

moved closer to the rear property line and the parking area expanded by approximately 4 parking spaces.

The applicant would be putting the rear of the stormwater basin into the area that is shown on the plan, between the existing right-of-way line and the future right-of-way line.

Mr. Marshall indicated they could shift it, it might not be 20 feet, but could shift it and stay within the property if the 25 feet were offered for dedication.

Solicitor Pizzo indicated the future right-of-way is something the Township would want reserved in some fashion, either dedicated now or for dedication in the future. If the Township should need it for whatever purposes, i.e. widening of the street, installation of stormwater facilities adjacent to it, or the like. By taking that right-of-way that's not putting maintenance responsibility on the Township. It would, nonetheless, stay with the property owner as it currently exists. It would also not create new and different rights for access onto Lang Avenue. The property fronts on Lang Avenue as it is today, so they have frontage, whether the Township has right-of-way area in-between doesn't change their rights to tie into Lang Avenue. The plan that is being proposed doesn't do that, and the plan being proposed would make any such connection virtually impossible.

Mr. Pizzo indicated if you can get that 25 feet of right-of-way, he does not believe there is a down side to the Township doing that provided it doesn't stand in the way of the imminent and more important purpose. As a layperson, and that would be to getting additional parking spaces on the property.

Solicitor Pizzo addressed Mr. Pilieri's concern, which was if this business for some reason relocates or rents out the property to another business, 15 parking spaces on the property versus 11 would certainly be more desirable.

Council President Kisselback indicated to the applicant, what if you redesign the basin to become a basin.

Mr. Marshall indicated they referred to it as a rain garden because of how shallow it is. It is essentially acting as a stormwater management basin and would take care of the 100-year storm issue. The rain garden is as deep as it possibly could go.

Solicitor Pizzo indicated the one other option in all of this is perhaps 20 feet of right-of-way versus 25 feet of right-of-way might still might accomplish the same purpose the Township would be looking to do; but would free up 5 additional feet for the applicant to work with in terms of where things fall on the page. The ordinance calls for the additional 25 feet. Council could say 20 or 15 additional feet would be satisfactory for what the Township's future needs are.

Council President Kisselback asked Mr. Marshall if he would be willing to add the additional 4 parking spaces.

Mr. Marshall indicate one parking space on each side for a total of 2 parking spaces if they have that 25 feet.

Mr. Marshall agreed to adding the 4 adding parking spaces.

Engineer Wursta asked Mr. Marshall if he could modify the basin to accommodate the stormwater management.

A conversation between Council and the Township Engineer ensued.

Council President Kisselback presented another proposal to the applicant and suggested they guarantee an extra 2 spots, and then provide pervious surface on the extension of the second spot on either side.

Mr. Marshall indicated, from an engineering perspective, was the Township Engineer okay with not doing stormwater for pervious.

Engineer Wursta indicated it was more of an issue for the applicant due to the constructability. The whole process is doable in a number of ways.

Mr. Marshall indicated if they agreed to the 15 feet of right-of-way and they agreed to do the 4 parking spaces with the appropriate stormwater management, approved by the Township Engineer; if for some reason this does not work out, they would come back and modify the plan.

Council President Kisselback asked if there was anyone in the audience who would like to speak for or against this project. Seeing no one come forward, the public comment portion was closed.

Council Secretary Knowles motioned to approve the preliminary and final land development for BCME Property Management, LLC, including waiver #1 for the required existing utilities, waiver #2 for the wetland certification, and waive the curbs sidewalks along Lang and Street Road for a fee in lieu of as determined by the Township Engineer. Waive #4, #5 and #6, waive #7 for a fee in lieu of, and reduce the right-of-way to 15 feet. The applicant will agree to work with the Township Engineers and move back the drainage of the rain garden to install 4 additional parking spaces as agreed upon by the Township Engineer. A wetlands' certificate is required indicating there are no wetlands on the property. Waive #8 regarding the 3-foot planting strip. Waiver for #9 and work with the Township Engineers.

Solicitor Pizzo indicated beyond that, all other items set forth in the January 18th, 2023 review letter from TPD will be complied with to the extent the Township hasn't otherwise spoken of the waivers. The same is true of the January 18th, 2023 traffic review from TPD, all items in that letter are will comply items.

Councilwoman Benitez seconded and the motion carried 5-0.

6. CONSIDERATION AND SIGNING OF AGREEMENTS FOR:

Applicant: Chick-Fil-A
Location: 3621 Horizon Boulevard
Proposed Use: Addition – 2nd Drive-Thru Lane
Zoning Classification: PCD – Planned Commercial Park District
Tax Parcel: 02-001-018-026

- A. Land Development Improvements Agreement
(5) Executed copies to be signed by Council upon consideration.

- B. Stormwater Best Management Practices Operations & Maintenance Agreement
(5) Executed copies to be signed by Council upon consideration.

Solicitor Pizzo indicated the Development Agreements for the Chic-Fil-A project on Horizon Boulevard have been received by the Township, they are executed and in a form for Council’s consideration and approval. All of the required escrow monies and fees associated with those agreements have also been received by the Township.

Council Secretary Knowles motioned to approve, Councilwoman Benitez seconded and the motion carried 5-0.

7. REQUEST FOR A WAIVER OF CURB AND SIDEWALK INSTALLATION SUBJECT TO PAYMENT OF A FEE IN LIEU OF:

Applicant: Frank Sadusky
Site Information: 3430 Trevoise Avenue
Tax Parcel: 02-004-150

Solicitor Pizzo indicated the Township Land Development Subdivision Ordinance does provide for the waiver of curbs and sidewalks where they are otherwise required. That waiver has to be granted by Council. Those Ordinance provisions also require, that in the alternative, the applicant is to provide a fee in lieu of the cost of constructing those improvements as is determined by the Township Engineers.

Councilwoman Champion indicated the house this property backs up to on Central Avenue and West End Avenue does have a sidewalk and curbs coming down the Central Avenue side and West End Avenue. Trevoise Avenue does not have curbs.

Quinton Nearon, Senior Municipal Inspection Manager, indicated that one of the things he talked to the Engineer about was, since there may be a drain at the corner of Central and Trevoise, that the Township would actually have curbing installed to help with the drainage. Since there is not an inlet on that radius the Township chose to waive that requirement for the curbing and the sidewalks. That whole area and intersection would have to be to the design that the entire intersection add storm sewers, which would not be the responsibility of the developer

who is building this house, it would be on the Township. The waiver would be better because of where everything exists.

Council Secretary Knowles motioned to approve the waiver of curbs and sidewalks and the applicant will pay a fee in lieu of as determined by the Township Engineer. **Council Vice President Pilieri** seconded and the motion carried 4-1.

7A. CONSIDERATION AND SIGNING OF AGREEMENTS FOR: ADDENDUM

Applicant: Guy E. Dalfo and Deborah Dalfo
Location: Bristol Road and Palm Avenue
Proposed Use: Addition – Contractor’s Shop
Zoning Classification: HC – 1 – Highway Commercial District
Tax Parcel: 02-018-003

- A. Land Development Improvements Agreement
(5) Executed copies to be signed by Council upon consideration.

- B. Stormwater Best Management Practices Operations & Maintenance Agreement
(5) Executed copies to be signed by Council upon consideration.

Council Vice President Pilieri motioned to approve the addendum to the agenda, **Councilwoman Benitez** seconded and the motion carried 5-0.

Solicitor Pizzo indicated that before Council this evening is the Land Development and Stormwater Management Agreements for Guy and Deborah Dalfo, for the property located at Bristol Road and Palm Avenue. The fees and related escrows associated with the project were received by the Township in-between the time the Agenda was set and this evening’s meeting; which is why the agenda was amended, so as to afford them the opportunity to get started on the project and not have to wait until the next Council meeting. The agreements are in order and acceptable for Council’s consideration and approval.

Council Secretary Knowles motioned to approve as presented. **Council Vice President Pilieri** seconded and the motion carried 3-0-2.

8. PUBLIC COMMENT:

Colleen Rispo, 2032 Hansell Drive, inquired about the Armstrong Property.

Engineer Wursta indicated there has been nothing on the development perspective, but there has been maintenance and other sundry type things happening.

Quinton Nearon, Senior Municipal Inspection Manager, indicted the Township’s Public Works Department had an issue involving the demolition of the existing shed. Also, there were

sanitary issues involving Bucks Meadows in which the DEP got involved; and a fence was removed, but not sure who removed the fence, so the area is being monitored.

Councilwoman Champion asked if anyone had an idea what Bucks County Water and Sewer was doing regarding the sanitary issues.

Mr. Nearon indicated it is a private line that was jetted which involved a lot of grease in the line.

Council Vice President Pilieri asked about the fencing along Street Road that was taken down and should it not be put back due to all of the construction going on. Council Vice President Pilieri directed Mr. Pizzo to look into whether the Armstrong property owner needs to keep the fencing up.

A very lengthy conversation ensued regarding the private sewer line from Bucks Meadows and the maintaining of that sewer line, and the damage it caused to the stormwater pipes on Hansell Drive.

Solicitor Pizzo indicated if there was a sewage overflow, as Mr. Nearon described, DEP would be involved and the Department of Health. The DEP takes these things very seriously in terms of cleanup, and in terms of whatever corrective action needs to take place and in terms of fining. If the DEP was called out and the DEP was on the case, DEP is certainly doing what it would do because a sewage overflow is their jurisdiction.

As far as a private sewage line, it ultimately flows into the Bucks County Water and Sewer Authority system. That is how it gets from here to the Philadelphia Treatment Plant where sewage from Bensalem is ultimately treated. Bucks County Water and Sewer has regulations as to what you can flow into their system, and how your facilities have to be constructed and how they have to be maintained.

Bucks County Water and Sewer needs to be involved because their jurisdiction is with anything that is flowing into their system, they have some say. The Township's Plumbing Code does not require grease-traps for residential properties. It does for commercial properties that generate grease, primarily restaurants, grocery stores and supermarkets and the like.

The Township functions off of the International Plumbing Code. Whatever the International Plumbing Code requires by way of grease-traps, that is what Bensalem Township requires by way of grease-traps. The Township also implements whatever regulations Bucks County Water and Sewer asks the Township to put in place, by virtue of the fact, they are the residential and commercial sanitary sewer provider for Bensalem Township. The two agencies that really need to be contacted and brought in on this is the DEP, who are already in on this and Bucks County Water and Sewer. Ultimately the jurisdiction for all of these things is with the State, the County Department of Health and with the County Water and Sewer Authority.

Solicitor Pizzo will work with the Engineers and the Code Department to try and resolve the issue.

Natasha Bica, 2047 Hansell Drive, spoke about the sewage problem.

Solicitor Pizzo indicated there are some problems that exist out there and that at the end of the day government cannot solve. First of which, the fact that the houses on Hansell Drive exist where they exist, and were built where they were built, on top of what they were built on top of. There are some issues inherent with the location of those houses and when they were built, and where they were built. The Township can deal with questions regarding storm sewers and sanitary sewers, and things like that, but some of the issues regarding the fact that the properties flood are inherent in the fact of where they were built and what they were built on top of.

Heidi Diaz, 2033 Hansell Drive, spoke on a matter that needed to be addressed to the Building and Planning Department.

9. **OTHER BUSINESS:**

Council Clerk, Debora McBreen, spoke on behalf of the Mayor and indicated the Mayor's thoughts and prayers are with the Monterey victims and their families. Unity week was a success and expressed how Bensalem is very unique and diversified. Parks and Rec is hiring for the Summer Youth Program, and you can obtain an application by calling 215-633-3724 or 215-633-3614. Last but not least, Hurts is back and so are the Eagles as a Super Bowl threat! NFC Championship game is on Sunday, January 29th at 3:00pm....*GO EAGLES!!*

Solicitor Pizzo, indicated *GO BIRDS!!!*

Councilwoman Benitez indicated Unity Week was a great success and thanked all who participated. Thanked Deron Miller, the Townships Production/ Electronic Media source, OTN, Owls Television Network, as well as the students that participated from Struble, Mrs. Ruiz choir and vocalist. Wished her father, who will be 60 on February 1st, a Happy Birthday. *GO EAGLES!!!*

Council Vice President Pilieri indicated that it has all been said.

Council Secretary Knowles reiterated Unity Week was a success. Chinese New Year was January 22nd. It is a lunar New Year and the year of the Rabbit. His prayers go out to the people in Monterey.

Councilwoman Champion indicated Unity Week was amazing. The kids were great from Struble, Bensalem High School and St. Ephrem. Thanked everyone involved with making Unity Week such a success. *GO EAGLES!!!!*

Council President Kisselback reiterated everything everyone said, and February 2nd is Groundhog Day.

10. ADJOURNMENT:

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

The Bensalem Township Council Meeting of January 23rd, 2023 can be viewed in its entirety at the following websites:

www.bensalempa.gov

or

www.youtube.com

Respectfully submitted,

Debra F. McBreen
Recording Secretary/Council Clerk