

*Incorporated March 12, 1738*

# TINICUM TOWNSHIP

*Bucks County*

## BOARD OF SUPERVISORS

163 Municipal Road  
Pipersville, Pennsylvania 18947

JOHN BLANCHARD, CHAIRPERSON  
RICHARD ROSAMILIA, VICE-CHAIRPERSON  
JIM HELMS, SUPERVISOR

### Tinicum Township Board of Supervisors Meeting Minutes November 13, 2018

The meeting was called to order at 7:30 pm. Supervisors Rosamilia, Blanchard, and Helms were present with Solicitor Harris, Manager Lewis. There were approximately 14 people in attendance.

Blanchard announced that the Board held a brief Executive Session from 7:21 pm to 7:29 pm to discuss matters of potential litigation. No action to report.

#### **Pledge of Allegiance**

#### **A. Public Comment**

##### **School Bus Stop Signage Request: At Intersection of Permanent School and Geigel Hill Roads**

PJ Herczyk, Permanent School Rd, made a formal request for school bus stop signage at the intersection of Permanent School and Geigel Hill. Herczyk said that at the bus stop there are:

- Multiple children: 4 to 5 children waiting for buses can translate into up to 4 cars waiting at the intersection. A neighbor has a pull off near the intersection, but it can only accommodate 2 cars.
- Multiple buses: Palisades elementary, Palisades middle/high school, Plumstead Christian, and Waldorf.
- Multiple drop-off/pick-up times.
- Drivers who are unaware it's a bus stop: Some have been aggressive about parent cars parked in the area, even though they have their hazard blinkers on. One vehicle passed a stopped school bus, which Herczyk stated he reported.
- Major construction projects in the area: Construction projects on both Permanent School and Geigel Hill Roads resulting in construction vehicles turning around at the intersection and in a hurry.
- Recent incidents in the news: Concerning the safety at school bus stops.

Rosamilia asked Herczyk if:

- The Police were contacted: Herczyk said he spoke with former Tinicum Police Chief Sabbath, who said the signage sounded reasonable, but nothing had happened. Herczyk said he recently spoke with and emailed Chief Phelan. Herczyk said an officer had been at the bus stop that morning.
- The School District was contacted: Herczyk said he had not. Blanchard stated that the school district determines where the school bus stops and the Township does not play a role in those decisions. Rosamilia said that the school district might be able to determine a better location for the bus stop.
- The bus could stop at Herczyk house and the houses of the other children: Herczyk said that Permanent School Rd is very narrow and it may not be the best choice for the bus to stop at their house. He said he thought it would also add a significant amount of time to the bus ride.

Rosamilia said that the Board would ask Police Chief Phelan to speak with the Director of Transportation at the school district to see if a better location for the bus stop might be established and/or if signs would help. Rosamilia said because Geigel Hill Rd is a PennDOT Rd, the bus stop signage request must go through PennDOT. He said he would have the Chief speak to PennDOT after he spoke with the school district. Rosamilia asked Lewis to follow-up with Phelan. Blanchard said that in the interim it would be good to have the presence of an officer at the bus stop location during pick-up/drop off times.

**Road Repair Request: Permanent School Rd**

Herczyk, Permanent School Rd, said that there were two construction projects taking place on Permanent School Rd and the construction vehicles have caused many potholes and other damage. He asked if the Township could repair the road. Lewis said the Public Works Director, Skelton had been out to look at the road earlier in the day and had added it to his schedule.

**Fee Waiver Request: 5 Wildcat Rd Septic Replacement**

Gail Nagele-Hopkins, Wildcat Rd, asked the Board to consider waiving the Conditional Use fees related to installing a replacement septic system (sandmound) in the front yard setback. Nagele-Hopkins stated the following:

- The current system is failing.
- A new/replacement system must be moved to a new location because the property is very wet.
- The new, primary septic system is a sandmound to be located in the front yard setback.
- The backup system would be a micromound system.
- Bucks County Dept. of Health has issued her a septic permit.

Nagele-Hopkins said that she is retired and on a fixed income. She said that the County had already issued her a permit and didn't think she should have to pay additional fees to the Township and asked the fees be waived.

Lewis stated that the Township Engineer had misread Nagele-Hopkins's application and thought the primary septic system was an alternative micromound system instead of a standard sandmound, so the larger construction escrow amount would not be required. However, Lewis said that since the sandmound is in the setback it does require a Conditional Use review and the \$1,000 Conditional Use fee and \$500 Escrow would still apply. She said the fee covers the expense of the Conditional Use Hearing including the mailing, legal ads, solicitor, engineer, etc.

Harris concurred that the fee covers the out-of-pocket costs for the Hearing. He said each application requires an analysis to examine a number of factors, for example whether there will be the same number of bedrooms, if a buffer is needed, if a limitation must be placed on further subdivision, etc. Harris said it was possible that Nagele-Hopkins's lot may not have these requirements, but that conclusion couldn't be predetermined.

Regarding the County having issued a permit, Harris said it is the Township's responsibility, not the County's, to see that the system is installed and maintained correctly. He gave an example of a County approved septic system that was installed and the owner asked for a return of escrow. Harris said that when the Township Engineer went out to inspect the system he found several construction issues, including sinkholes. Harris said that was the purpose for the Township's review and fees. Harris stated that in addition to the review, there is an inspection and an O&M agreement is required to ensure that the system is pumped out regularly every 3 years.

Nagele-Hopkins said that no one had asked her to pump her in-ground system. Blanchard noted that she didn't pump it and now it's failed. Nagele-Hopkins said that it was failing 15 years ago before she bought the house and that she pumps it every couple of years.

John Cole, Ervin Rd, reiterated the Conditional Use review expenses and said that as a taxpayer he would prefer not to have to pay for someone else's fees. The Board said that Nagele-Hopkins doesn't have to pay the construction escrow, but she will have to pay the Conditional Use fee. Nagele-Hopkins thanked the Board for their consideration.

**B. Emergency Services**

No Report

**C. Police**

No report

**D. Old Business**

**Conservation Easement Application for 165 Roaring Rocks Rd**

- **Property Owners:** Carl Kwartnik & Maureen Santina
- **Property Location:** 165 Roaring Rocks Rd, Upper Black Eddy
- **TMP:** 44-006-079-004
- **Acres:** 10.29

Rosamilia stated the following:

- The Kwartnik/Santina property is a donated easement.

- Township Open Space funds are granted only for the out-of-pocket costs associated with donating the property, such as the appraisal and legal fees.
- An agreement was made with the Tincum Conservancy to pay those fees and the Township will pay the \$6,500 stewardship fee to the Conservancy.
- The Tincum Conservancy and Tincum Township will be co-holders of the easement.

Rosamilia said there is a need to change the policy for smaller parcels and the Conservancy and Land Preservation Committee has begun work on it.

**Motion:** to approve the \$6,500 stewardship fee be paid to the Tincum Conservancy for the Kwartnik/Santina Conservation Easement.

**Motion by:** Rosamilia **Second by:** Helms. Voted upon and passed.

Blanchard read the resolution stating that Teri Lewis as Township Manager is authorized to sign settlement documents on behalf of the Tincum Township Board of Supervisors for the conservation easement of Kwartnik/Santina, TMP 44-006-079-004. 10.29 acres.

**Motion:** to authorize Tincum Township Manager Teri Lewis to sign settlement documents on behalf of the Tincum Township Board of Supervisors for the conservation easement for property owners Carl Kwartnik and Maureen Santana, TMP 44-006-079-004.

**Motion by:** Rosamilia **Second by:** Helms. Voted upon and passed

**E. New Business**

**Fire Police Request:** The Borough of Dublin requests the assistance of any available Ottsville#49 Fire Police for traffic control duties at the Dublin Volunteer Fire Companies' Annual Holiday Gathering at the Dublin Fire Dept. scheduled for Dec. 8, 2018, 5:30 pm until 8:30 pm. Rain event is Sunday, Dec.9<sup>th</sup>.

**Motion:** to have the any available Ottsville#49 Fire Police for traffic control duties at the Dublin Volunteer Fire Companies' Annual Holiday Gathering at the Dublin Fire Dept. scheduled for Dec. 8, 2018, 5:30 pm until 8:30 pm. Rain event is Sunday, Dec.9<sup>th</sup>.

**Motion by:** Blanchard. **Second by:** Helms. Voted upon and passed.

**2019 Proposed Budget**

**Motion:** to authorize advertisement of the proposed 2019 Tincum Township budget for adoption at the Dec 18<sup>th</sup> Board of Supervisors meeting.

**Motion by:** Helms. **Second by:** Blanchard. Voted upon and passed.

**F. Monthly Business**

**1) Minutes:**

**Motion:** to approve the Board of Supervisors Meeting Minutes of October 16, 2018 as written.

**Motion by:** Helms. **Second by:** Rosamilia. Voted upon and approved.

**2) Treasurer's Report & Budget Recap:** The Treasurer's Report and Budget Recap for October were provided to the Board and posted on the bulletin board.

**3) Payroll Report:**

Blanchard announced that the actual amount for Payroll Report period ending Sept. 28<sup>th</sup> of \$29,673.89.

**Motion:** to accept the Payroll Report for the period ending Oct. 12th in the amount of \$26,197.85.

**Motion by:** Blanchard. **Second by:** Helms. Voted upon and passed.

**Motion:** to accept the Payroll Report for the period ending October 26<sup>th</sup> in the amount of \$26,511.78.

**Motion by:** Blanchard. **Second by:** Rosamilia. Voted upon and passed.

**4) Disbursements:**

General Fund	Amount	Memo
VISA	\$147.73	Uniform Construction Code UCC 3rd quarter
Staples Credit Plan	\$252.15	Office Supplies
Service Electric Telephone	\$394.27	Telephone Service
Concours Automotive	\$325.00	Watchguard installation
Keystone Municipal Engineering	\$232.50	Engineering and Grading Services
DelGuerico's Disposal Service	\$155.00	DelGuerico's Disposal Service

ABE Materials Easton	\$1,207.64	DSA Dirt and Gravel Municipal Rd
Keystone Municipal Services Inc.	\$1,300.00	Bldg Inspection and Plan reviews
Merry Maids	\$300.00	2 Cleanings October
Ruthardt, Carl A.	\$500.00	Refund of continuance fee
Santander Bank NA	\$9,835.37	2018 Police Interceptor A58227 Lease
Blum-Moore Reporting Services	\$250.00	Stenography Appearance Cond Use -Tower
NAPA of Ottsville	\$88.50	Police Fleet parts (oil-filters)
Aflac Business Services	\$280.04	Nov Supplement Insurance withheld
VerizonWireless	\$209.80	Police Wireless
Ricoh Americas Corp	\$161.52	Ricoh Americas Corp
Hartford Life Insurance	\$153.45	Employee Life Insurance
Gary's Septic Service, Inc.	\$260.00	Septic Service Admin and Police (replace ck 25607)
PennTeleData	\$180.21	Internet Modems
WEX, Inc.	\$3,579.21	Vehicle Fuel Police Fleet
Help Now	\$1,470.00	INV 16467
GT Services	\$520.00	Police - New Patrol Car Lettering
PA Twp. Health Ins Coop. Trust	\$2,208.60	Disability Insurance
Wehrung's	\$956.07	Paint and Supplies Garage
Bucks County Planning Commission	\$567.27	Household Hazardous Waste 2017-2020 program
Blum-Moore Reporting Services	\$250.00	16703 - Bennett 06-2018 ZHB
Keystone Municipal Services Inc.	\$1,202.50	Bldg. Insp. and Plan reviews 10-8 thru 10-18
Long Acres Sporting Arms	\$80.80	Police - ammunition
Wehrung's	\$56.11	Police supplies
Eagle's Peak	\$3.89	Bottled Water Mtg. Room
H.A. Thompson Risk Mgt.	\$1,006.00	Treasurer's Bond
Met-Ed	\$140.07	Electricity - Garage
Met-Ed	\$20.30	Electricity - Park
Met-Ed	\$285.53	Electricity Police and Admin
Allied Administrators for Delta Dental	\$833.89	Dental Insurance
Met-Ed	\$29.01	Electricity - Traffic Light
Pa Dept. of Labor & Ind.	\$88.00	Mandatory Boiler Inspection
United Healthcare	\$9,841.85	Employee Health Insurance
Grim Biehn and Thatcher	\$910.00	Zoning Hearing Legal Services
Harris and Harris	\$4,505.20	Legal Services - October
Internal Revenue Service	\$2,004.13	Employer FICA Tax
Internal Revenue Service	\$2,028.14	Employer FICA Tax
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Payroll Fund	Amount	Memo
Payroll for pay period end 10-12-18	\$19,092.37	Paychecks
Internal Revenue Service	\$5,276.24	Employee FICA Tax withheld
Pa Dept. of Revenue	\$804.28	Employee Wage Tax withheld
Payroll for pay period end 10-26-18	\$19,545.85	Paychecks
Internal Revenue Service	\$5,222.65	Employee FICA Tax withheld
Pa Dept. of Revenue	\$813.92	Employee Wage Tax withheld
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State Fund	Amount	Memo
H & K Materials	\$530.00	Asphalt patch
Triad Truck Equip	\$324.00	Snowplow Blade Edge
Compressed Air Systems	\$592.00	Handle locks F350 refurb
Vanderlely's Truck Sales and Service	\$1,591.42	
Praxair Distribution	\$178.37	PWD Supplies
Tractor Supply	\$291.74	Hardware and Supplies
Blue Tarp Financial	\$827.63	F350 refurb parts & supplies
Hoover Steel	\$1,089.20	F350 refurb parts & supplies

STTC	\$136.00	Tire (Sign Trailer)
Suburban Propane	\$747.87	Diesel Fuel
Scottie Design and Lettering	\$600.00	F350 refurb
Wehrung's	\$330.53	PWD supplies
Jacob's Auto Supplies	\$405.26	F350 refurb parts & supplies
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Open Space Fund	Amount	Memo
Del Val Regional Finance	\$12,720.62	Open Space Bond Payment
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Groundwater Mgt. Fund	Amount	Memo
Lennon's Small Jobs	\$718.50	Ping Data and Download Logger Data
Lennon's Small Jobs	\$157.50	Logger Replacement/Repair

**Motion:** to accept the disbursements as written.

**Motion by:** Rosamilia. **Second by:** Helms. Voted upon and passed.

## 5) Planning

## 6) Subdivision & Land Development

## 7) Zoning

### **Announcements:**

Blanchard announced the following:

### **Board of Supervisor Conditional Use Hearing scheduled for tonight, Nov. 13th at 8:00 pm:**

**CU 03-2018: Conditional Use Application of Lawson, 82 Ervin Road, Pipersville, 44-011-083-007.**

Requests approval to replace a sewage system within the setback area.

➤ The hearing was continued to the Board of Supervisors meeting scheduled for December 18<sup>th</sup> at 8:00 pm.

### **Board of Supervisor Conditional Use Hearing scheduled for tonight, Nov. 13th at 8:30 pm:**

**CU 02-2018 Condition Use Application of T-Mobile Northeast LLC, 7554 Easton Road, Ottsville, 44-011-002.**

Requests approval to add 3 antennas, 3 RRU's, 1 hybrid cable and 1 handrail to the existing T-Mobile cell tower.

➤ The hearing was continued to the Board of Supervisors meeting scheduled for December 4<sup>th</sup> at 8:00 pm.

### **The Tincum Township Administrative Office will be closed between Christmas and New Years.**

A notice will be posted on the website.

### **Authorization for Township Manager to Sign the Copier Lease**

**Motion:** to authorize the Township Manager Teri Lewis to sign the Ricoh Lease for the Copier/Scanner/Printer.

**Motion by:** Blanchard. **Second by:** Rosamilia. Voted upon and passed.

## 9) Public Comment

### **Request to Replace Zoned Community Sign on 611**

John Cole, Erwin Rd, asked that a sign be placed on 611 north that sates Tincum is a zoned community. He said the other roads entering the Township have these signs. Lewis stated there had been one, but that she would have the Public Works Director check and replace it if it is missing.

### **Headquarters Bridge/Cafferty Bridge on Headquarters Rd Discussion**

Tim Cashman, Quail Lane, asked if the Board knew what PennDOT intends to do about the Delaware Riverkeeper Network's (DRN) lawsuit [challenging PennDOT and the Federal Highway Administration's (FHWA) issuance of a Categorical Exclusion (CE)]. Blanchard and Rosamilia said that they did not know anything at this time.

Cashman said his neighbor told him she decided to sell her house, in part, because she is concerned about the added time it takes for emergency vehicles to reach her home without the bridge. Cashman said the safety issues are paramount but the DRN will not speak with him. He asked if he could post on the Township website so that he voice his concerns about the safety issues. Harris said that the Township website would not be the appropriate forum. Blanchard said that the website is a forum for the Township Office to put out information to the Township public.

Amleto Pucci, Headquarters Rd., said the bridge project was mismanaged from the start and that PennDOT:

1. should have communicated more with the community during the Section 106 Review Process [used to determine a federal project's effect on historic properties.]
2. was unresponsive to very pointed concerns made in public and in writing without any professional, clear answer.

Pucci said he has been involved since 2011 as a consulting party and in his opinion there is no reason the bridge can't be repaired in the same historical manner as a single-lane bridge, without significant delay, and without posing any safety issues. He asked if there is some way the Township can facilitate bringing the different views together so the community is not so divided.

Rosamilia said the Township went out of its way to facilitate a DRN member requested, "engineers-only meeting," in July 2018, with engineers from both PennDOT and DRN to discuss a rehabilitated bridge, or a one-lane bridge, or two-lane bridge. He said PennDOT agreed after some pressure from the Board, but the DRN refused to attend.

Bruce Wallace, Sheephole Rd, said he had requested the engineer-only meeting, but he did not represent DRN and the DRN was upset that they had not made the request. Wallace said the problem has been that the State Representative and State Senator only wanted a new, 2-lane bridge. He said there's a new State Representative and people should get in touch with her because "having someone not wedded to a new, two-lane bridge concept could make a huge difference."

Wallace said PennDOT is in the process of repairing the Golden Pheasant Bridge [on River Rd] and it is a 16-foot, single-lane bridge with original stonework being done in 3 months. He said the stonework has no mortar and that if laid properly it lasts forever. Wallace said that the Geigel Hill Bridge was done in concrete with stone facade and that after only 5 years the stone facade is falling off and there's a crack in the cap and in the abutment. Rosamilia said the cracks are from people are hitting it because it is too narrow and not aligned properly. Wallace said it is the cap the bridge sits on and facade on the creek side that is cracked. Blanchard noted that the Geigel Hill Bridge is a bridge the Township took ownership of. Wallace said no one wanted them to do a stone facade. He said they should have used the same stone as is being done with the Golden Pheasant Bridge.

Rosamilia said that the Golden Pheasant Bridge is a temporary repair and PennDOT intends to have a new, replacement bridge design in two years. Wallace asked why they haven't done the same for Headquarters. Cashman said it was because of the DRN lawsuit. Wallace said that had nothing to do with it. Cashman said PennDOT couldn't move forward with a project if there is a lawsuit against them. He said the DRN knows that and that's their goal.

Rosamilia asked Pucci if he thought a one-lane bridge is acceptable. Rosamilia said in the past the issue was whether it should be a one- or two-lane bridge and the Board members at that time chose a two-lane bridge so that the cost of maintaining the bridge would not fall on the Township. He said subsequently the DRN shifted to only accepting a rehabilitated bridge.

Pucci said he was in the favor of the one-lane bridge. He said that the FHWA said it would not fund the reconstruction unless it was two-lane bridge because that's their professional standard and it has to be a certain distance wide for federal funding. Pucci said, however, there is a bridge on 113 that was not widened. He said there are programs for repairing highways that go through parks and for retaining historical character in PA. Pucci stated that in this case they want to use federal funding for 90% of the project. Rosamilia said that Pucci may be right about the funding, but he said PennDOT also said they would build a one-lane bridge.

Rosamilia asked Pucci why he thought that PennDOT would put themselves through all of the lawsuits, the anger from the public and the supervisors, if there were readily available state funds. Pucci said there was no simple answer. Pucci said that part of the difficulty was that PennDOT closed the 106 Process. Rosamilia said he went to at least four 106 meetings and asked Pucci how long he thought the process should take. Pucci said he thought that PennDOT was stalling. Rosamilia said that the lawsuit should get to the truth.

Rosamilia said if the Board knew in advance there was going to be this dialogue about the bridge it would be fair to have a PennDOT representative attend and present their side. Pucci said he'd meet with anyone. Rosamilia said that Pucci and Wallace have said they don't represent the DRN and DRN has filed the lawsuit.

Anita Nolan, McCann Dr., said that Headquarters Bridge is not the only bridge PennDOT has to deal with. She said she experienced the same issue when she lived in Buckingham where a bridge was out for 5 years while they went back and forth over whether it should be one or two-lanes. Nolan said what happens is that you get kicked out of PennDOT's system and your bridge falls to the bottom of the list. She said that has happened here because of the

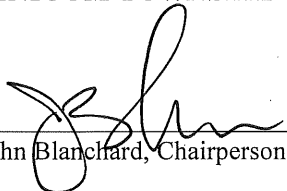
DRN, who don't live in the Tincum. She said it's important to her life and it needs to be fixed because it's another 7 or 8 minutes extra for an ambulance or a fire truck to get to her house. Pucci said to Nolan that the DRN is a NGO [non-governmental organization] and is a nonprofit. He said many of the staff might live elsewhere, but Pucci said that he is a member and he lives on Headquarters Rd.

The meeting was recessed for Executive Session at 8:39 pm. Blanchard reconvened the meeting at 9:38 pm to discuss personnel matters. No action to report.

**I. Adjournment:** Motion to adjourn the meeting at 9:45 pm.  
Motion by: Blanchard. Second by: Rosamilia.

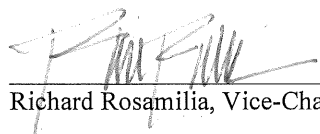
*The next meeting of the Board of Supervisors is scheduled for December 4th, 2018 at 7:30 pm.*

### TINICUM TOWNSHIP BOARD OF SUPERVISORS



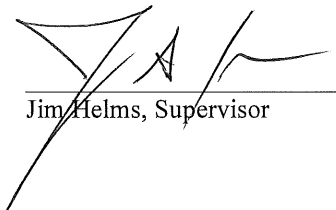
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John Blanchard, Chairperson



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Richard Rosamilia, Vice-Chairperson



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Jim Helms, Supervisor