

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

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

Tinicum Township Board of Supervisors Meeting Minutes December 3, 2019

Supervisors Rich Rosamilia, Jim Helms and John Blanchard were present with Township Manager Teri Lewis. There were approximately 12 people in attendance.

Chairperson Richard Rosamilia called the public meeting of the Tinicum Township Board of Supervisors to order at 7:30 pm followed by the Pledge of Allegiance. Rosamilia announced that the Board held an executive session at 7:00 pm to discuss matters of potential litigation.

A. Public Comment

Headquarters Bridge Safety Concern

Tim Cashman, Quail Lane, said he wanted to provide an update regarding the problems caused with the ongoing Headquarters Bridge closure. He said the area of road at Headquarters and McCann can become very icy this time of year. Cashman said the school buses must turn around there because the bridge is closed. He said that it took the bus 6 minutes to get turned around. He said that the school bus comes twice in the morning and twice in the afternoon.

Cashman said that his next-door neighbor, Mrs. Maginn, had asked him to tell the Board, that recently her husband had a heart attack and because the bridge is closed it took 8 minutes longer for her to get him to the Doylestown Hospital. Cashman said he is still in the hospital and she was very upset. Cashman said that the bridge was being held up by outsiders and a small percentage of neighborhood. He said he knows it is in court, but what had previously been a concern for safety had now become a reality and his neighbors are very upset.

Rosamilia said the Board wants it resolved especially because of the safety issue, but there is nothing the Board can do. Cashman said he was told by attorneys that he must come to the meetings and have the concerns/issues put down on record. He thanked the Board for listening.

Thank You, Sue Bunkin

Rosamilia said the Township wanted to thank Sue Bunkin and the Tohickon Garden Club for the beautiful holiday decorations on the outside Township building.

B. Old Business

River Road Safety Meeting Update

Rosamilia said that Lewis had been working with PennDOT, Representative Ullman and Senator Mensch to schedule a meeting date regarding the safety changes for River Road. Lewis said she had spoken with Don Centofante and received confirmation of PennDOT's availability.

She said she has reached out to Representative Ullman and Senator Mensch and the Board to finalize a date.

C. New Business

Sand Castle Winery

Rosamilia stated that Sand Castle Winery had requested a zoning ordinance amendment that would enable them to open the winery for events, such as weddings. He said they have paid for Professional Services to cover the cost of review.

Motion: to have the Zoning Officer and Planning Commission review Sand Castle Winery's proposed ordinance amendment.

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

Appointment of Hutchinson, Gillahan & Freeh, PC to examine the books and to perform the annual audit of Tincum Township for the fiscal year 2019.

Motion: to appoint Hutchinson, Gillahan & Freeh, PC to examine the books and perform the annual audit of Tincum Township for the fiscal year 2019.

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

Land Preservation Point System – tabled until December 17th

Rosamilia said the point system used by the Land Presentation Committee (LPC) takes into account natural resources, size and topography of the property. Rosamilia said that one item, public access, had caused some confusion with regards to what was the definition of the "public access." He said only a few properties actually allowed the public access on their property and most property owners do not want the public on their property. Rosamilia said that, after discussion, it was decided to eliminate public access from the point system. He said the LPC wants to add a new category for properties with conserved properties on both sides, which Rosamilia said he was not in favor of. Rosamilia said he was in favor of granting additional points to the existing categories. After discussion, the Board decided to table the topic for further clarification.

D. Regular Business

Minutes:

Motion: to approve the Minutes of the November 19, 2019 Board of Supervisor meeting as written.

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

Treasurer's Report & Budget Recap:

Rosamilia stated that the Treasurer's Report and Budget Recap for November will be available at the next meeting of the Board.

Payroll Report:

Motion: to accept the Payroll Reports for the period ending: November 22th in the amount of \$27,811.32.

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

Disbursements:

Motion: to accept the disbursements as written on the following page.

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

| General Fund | Amount | Memo |
|-------------------------------------|---------------|--|
| G2 Computers | \$1,450.00 | File Maker Upgrades |
| Ricoh Americas Corp | \$489.59 | Copier Scanner Lease |
| Keystone Municipal Services Inc | \$1,690.00 | Bldg. Reviews and Insp 11-4 thru 11-15 |
| VISA | \$379.03 | Park - reimbursable & BC Tile |
| PSATS | \$70.00 | CDL program testing |
| Holicong Locksmiths | \$129.95 | Alarm Repair door contact replacement |
| VerizonWireless | \$224.17 | Police Wireless |
| Aflac Business Services | \$420.06 | Supplemental Insurance (withholding) |
| Blum-Moore Reporting Services | \$250.00 | Stenography ZHB |
| WEX, Inc | \$2,000.34 | Police Fleet Fuel |
| United Healthcare Insurance Company | \$10,226.05 | Health Insurance |
| Upper Black Eddy Fire Company | \$4,714.96 | 2019 Contribution |
| Delaware Valley Volunteer Fire Co. | \$45,280.90 | 2019 Contribution |
| Ottsville Volunteer Fire Co. | \$29,718.34 | 2019 Contribution |
| Point Pleasant Fire Company | \$11,898.87 | 2019 Contribution |
| Met-Ed | \$28.34 | Electricity Traffic Light |
| Harford Life Insurance | \$306.30 | Life Insurance |
| Keystone Municipal Services | \$1,170.00 | Bldg. Insp and Reviews (repl ck) |
| Bucks County SPCA | \$300.00 | Annual Contribution |
| Internal Revenue Service | \$2,127.55 | Employer FICA tax |
| Payroll Fund | Amount | Memo |
| Pay period end 11-22-19 | \$21,309.67 | Paychecks |
| Internal Revenue Service | \$4,971.74 | Employee FICA tax |
| Pa Dept of Revenue | \$853.80 | Employee State tax |
| Groundwater Fund | Amount | Memo |
| Lennon's Small Jobs | \$195.00 | Fall Pings/Data Collection |
| Park Fund | Amount | Memo |
| Twining Construction | \$24,277.50 | Tinicum Community Park Path Project |
| Open Space Fund | Amount | Memo |
| Del Val Regional Finance | \$12,323.30 | Open Space Bond Payment |

2020 Tinicum Township Meeting Schedule:

The Board authorized Lewis to advertise the 2020 Tinicum Township Meeting Schedule.

E. Ordinances

Adoption of Ordinance 246: Sewage Amendment

Motion: to adopt Ordinance 246: Sewage Amendment with changes.

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

Advertisement of Proposed Draft Ordinance 247: Critical Recharge Amendment

Lewis said the proposed ordinance is currently being advertised and would be ready for the Board to consider adoption at the next Board of Supervisor Meeting scheduled for December 17th.

Advertisement of Proposed Draft Ordinance 248: Site Capacity Amendment

Lewis said the proposed ordinance is currently being advertised and would be ready for the Board to consider adoption at the next Board of Supervisor Meeting scheduled for December 17th.

Ordinance 249: Comcast Cable Franchise - tabled.

Lewis received an update on December 3rd and forwarded it Harris for review. She said that it would be ready for review at the next Board of Supervisor Meeting on December 17th.

F. Board & Advisory Committee Vacancies

Rosamilia said there are openings on the following Boards and Committees:

- Zoning Hearing Board for the position of alternate;
- Board of Auditors;
- Park and Recreation Committee.

Rosamilia asked that anyone interested should send a letter to the Township. He said that decisions would be made at the Organizational Meeting on January 6th.

G. Conditional Use

The Board recessed the regular meeting at 8 pm for the continued Conditional Use Hearing: CU03-2019: Spinieo Industrial Holding, LLC, 3632 Bedminster Rd, Tax Parcels 44-011-008-003 & -004 request for approval to allow any one of the following uses in a Planned Industrial (PI) district: Warehousing (G-3), Printing (G-4), Contracting (G-5), Crafts (G-7), Mini Warehouse (G-12), Industrial Park (G-13), and Auto Repair (E-16).

Rosamilia said at the last meeting, the attorney and engineer for Spinieo presented possible uses with regard to developing the properties. He said based on Township ordinance, certain uses are allowed in the Planned Industrial (PI) district, but a conditional use is required. He said the Township Solicitor, Steve Harris, had prepared an order, which Rosamilia read into the motion.

Motion: to deny the conditional use approval for use (E-16) Auto Repair and grants the uses for (G-3) Warehousing, (G-4) Printing, (G-5) Contracting, (G-7) Crafts, (G-12) Mini Warehouse, and (G-13) Industrial Park, subject to the following conditions:

- (1) That conditional use approval does not grant any variances or waivers from the requirements of the Tincum Township Zoning Ordinance, Tincum Township Subdivision and Land Development Ordinance or any other Ordinances or Regulations adopted by the Township, including the requirement that only one (1) use be permitted on the Property, subject to the Applicant's right to file an application for a variance or variances with the Township Zoning Hearing Board or request waivers from the requirements of the Subdivision and Land Development Ordinance during land development plan review.
- (2) That the Applicant receive conditional use approval for the following overlay districts: Critical Recharge, if applicable to the subject Property; Critical Biodiversity; Prime Farmland and Agricultural Soils; Delaware River Wild and Scenic; Tohickon Watershed and Woodland and Hedgerow Overlay Districts, as a condition of land development plan approval.
- (3) That the Applicant shall provide additional landscaping/screening as deemed necessary during the land development process between the proposed use and existing residential uses.
- (4) That truck traffic on the site should be directed away from existing residential neighbors.
- (5) That consideration shall be given during land development review to require the facade of the building closest to the road to have architectural elements that provide a rural/agricultural character. No large bay doors may face the street.
- (6) That consideration shall be given during land development review to provide additional landscaping/screening along the frontage of the Property to soften the view of the development.

- (7) That during land development review the Applicant shall submit a traffic study indicating the potential impact of the use along Route 113/Bedminster Road and at the intersection of Route 611 and Route 113.
- (8) That the frontage of the Property should include turning lanes, at a minimum, and that if the potential use of the Property includes large truck traffic, turning lanes at Routes 113 and 611 may be required.
- (9) That all outstanding legal, engineering and administrative fees due the Township as a result of this conditional use review shall be paid in full to the Township.

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

Rosamilia reconvened the regular meeting at 8:57 pm.

H. Public Comment

Spinieo Conditional Use and Planned Industrial Discussion

Lori Savard, Farm School Road, Bedminster Township, asked why Spinieo was being allowed a conditional use to have a package of uses to market the property. Rosamilia said according to the Township Ordinance there are certain uses that are permitted, but only one use could be chosen. He said he did not think Spinieo knew what the use would be yet, but that they have the right to do these uses, dependent on certain criteria, with the exception of auto repair use that was denied. He said that they would not get into specifics until they choose a use and submit an application. Rosamilia said at that time the conditional use process would start again.

Harris said this was the first, preliminary step and that Spinieo has the right to ask. He said there is a group of uses the ordinance allows but once they pick a use they will have to come back and go through the full process. Harris said they have to file a Land Development plan that shows they comply with all the conditions of the ordinances, subdivision, stormwater, grading, and overlay districts.

Helms said that when something does come in it will go through many public steps, including PC review and conditional use. Rosamilia said the public would have a lot of input. Rosamilia said they would work with screening and softening, but can't prevent it.

John Cole, Planning Commission (PC) member, said the PC takes this very seriously. He said the Township must allow some use there. He said they gave Spinieo a menu, but there are more uses allowed in Planned Industrial area beyond those 6 uses. Cole said he understands that the area is environmentally and aesthetically sensitive, but the Municipal Planning Code requires the Township to have a Planned Industrial district. He said if the Township does not zone for it, a judge will decide the location. Cole said it makes sense for it to be near a highway. Rosamilia said with the public's help, the Township can get something everyone can live with, but if a judge in Doylestown decides, we may not. Harris said the area was zoned Planned Industrial in the 70s.

Cole said he is a 35-year resident, lives less than a mile from the site, and does not want excess noise, lights, or waste in Tohickon creek. He said he will keep an eye on the traffic, screening and other concerns and they will work on with the developer on that. Cole said the developer seems to want to work with Township and put into something that's attractive and pleasing to neighbors. Cole said it will come in to the Planning Commission again and encouraged people to come in and make their thoughts known.

Stephanie McGroaty, said that the land was part of her grandparents' farm and that the land across the street will also be in the Planned Industrial.

Andrew Kling, Frankenfield Road asked what area is planned industrial. Lewis provided a map and Helms said the map is on the website. Kling asked if we could rezone those areas. Harris said the BOS could rezone but could not eliminate a Planned Industrial area.

Savard asked about a property down the street on Farm School Road with a junkyard that seems to be over flowing the property. She said that her husband had contacted the Zoning Officer. Lewis said that the Zoning Officer had sent a letter to the property and he has a certain time period to respond. Harris said the enforcement process had been started and his response will dictate what action the Township will take. Savard asked about possible contamination to the creek. Rosamilia said that Tackett would refer it to the DEP if that appears to be the case. Harris said right now it is an investigation and confidential, but if there is a violation sent out that will become a public record.

I. Executive Session

Supervisor Rosamilia recessed the regular meeting at 8:22 pm to discuss matters of personnel, land acquisition and potential litigation. Rosamilia called the meeting back to order at 9:10 pm. There was no action to report.

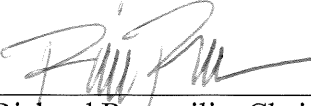
J. Adjournment

Motion: to adjourn the meeting at 9:11 pm.

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

The next meeting of the Board of Supervisors is scheduled for December 17th, 2019 at 7:30 pm.

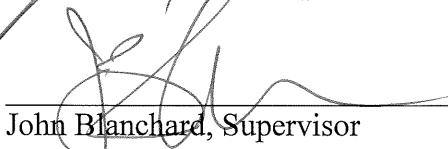
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