

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 September 3, 2019

Supervisors Rich Rosamilia, Jim Helms and John Blanchard were present with Township Manager Teri Lewis. There were approximately 14 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.

A. Police

Chief Phelan, Tinicum Township Police Dept., gave the following report for August:

- 180 Incident Reports: 59% service calls, 25% traffic-related, 11% crimes/suspicious occurrence investigation, 5% court and/or training.
- Crime Incidents:
 - Contractor Complaint: A resident paid a contractor and then the contractor walked off the job. Phelan advised residents to be sure their contractor is licensed, to have a contract, to follow the contract in terms of when payments will be made and not to pay more than required ahead of time.
 - Theft: A kayak was stolen along the river.
 - Theft: An ATM card was stolen.
 - Credit Card Skimmer: An officer on patrol noticed a suspicious vehicle exiting the Exxon after hours and discovered a credit card skimmer. The Secret Service is investigating. It does not appear that anyone's credit card data was compromised.
- Accidents: 5 Reportable accidents, no serious injuries.
- PennDOT Updates:
 - Tractor trailer length restrictions were posted for E. Dark Hollow Road. The Tinicum Police Dept. requested this posting to help to reduce problems occurring on the Golden Pheasant bridge. Most trucks involved in bridge incidents were from out of state and following their GPS/Google Maps from 413 north to Dark Hollow to New Jersey.
 - "No Left Turn" sign will be posted for vehicles exiting the Milford Bridge into PA.
 - River Road (Route 32) to 611 South will no longer be designated as a truck route. Trucks will be redirected from 611 down to 202 in the future.
- Training: Recertified in Defensive Tactics and Handcuffing.
- First Responder Day at Wehrungs: Wehrung's is donating 10% of all proceeds from October 5th from 10 AM to 2 PM to the Tinicum Police Foundation, Ottsville EMS, and Upper Bucks Regional.
- Park Security: A Delaware Valley Insurance Trust (DVIT) Grant for park security is in development.
- Computer Upgrade: A laptop was replaced and there are plans for new computer upgrades in the future.

B. Old Business

Proposed Draft Ordinance 244: Park Rules and Regulations

Motion: to advertise the proposed Draft Ordinance 244: Park Rules and Regulations.

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

Announcement:

Rosamilia announced that the Proposed Draft Ordinance 246: Sewage Amendments will be listed on the September 17th Board of Supervisors Meeting Agenda.

Proposed Draft Ordinance 247: Critical Recharge Zoning Amendments

Rosamilia stated that is the third draft version of the ordinance amendments that the Township Planning Commission (PC) and Township Planner Tackett have been working on and asked Tackett to provide an overview.

Tackett said that the intent of Ordinance 247 is to recharge the aquifer and encourage water permeation. Referring to the Critical Overlay District map, she said for the last several years the standard in the designated critical recharge areas is to permit half (50%) of the impervious surface that is allowed "By-Right" in that Zoning District. She said that has presented some challenges for property owners, especially if the property was developed prior the overlay and is already at the maximum. Tackett stated there was general agreement that there should be less restrictive standards, which prompted the draft amendment.

Tackett said the current draft amendment proposes the following for properties located within the Critical Recharge area:

- 0 - 2 acres, property owners would be allowed to have 100% (the maximum amount) of the impervious amount that is allowed in the underlying zoning district. (A 50% increase from the current ordinance, in some cases)
- 2 - 9 acres, property owners would be allowed to have 75% of the maximum impervious surface amount that is allowed in the underlying zoning district. (A 25% increase from the current ordinance.)
- 9 acres or more, would remain at 50% of the maximum impervious surface amount allowed in the underlying zoning district. (This standard remains the same as the current ordinance, as Tackett said there have been few problems with properties of this size.)

Tackett stated the proposed draft includes language to ensure that the allowable impervious surface in each category is not less than the maximum square footage of impervious surface in the preceding category.

If supported by the Board of Supervisors, Tackett said the next step would be to send the draft to the Tincum Township Planning Commission and Bucks County Planning Commission for review and comment.

Motion: to send Proposed Draft Ordinance 247: Critical Recharge Zoning Amendments to the Tincum Township Planning Commission and Bucks County Planning Commission for review and comment.

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

C. New Business

Proposed Draft Ordinance 248: Site Capacity Ordinance Amendment

Rosamilia said the amendment corrects a language inconsistency that creates a conflict in the calculation of impervious surface in Ordinance 248 and asked Planner Tackett to explain the proposed amendment.

Tackett presented a recent land development sketch plan application for illustrational purposes to explain the Site Capacity Amendments and handed out copies of Zoning Ordinance Section 801 Site Capacity Calculation.

Tackett said Section 801 Site Capacity Calculation comes into play with a major land development application to determine the appropriate intensity of use. Tackett gave an overview of the Section 801 calculation process, as follows:

- 1) Base Site Area: The applicant establishes the Base Site Area, which is determined by taking the property area [Total Site Area], minus the road right-of-way and certain types of easements.

- 2) Resource Protection Land: Open space is required for resource protection lands, i.e. wetlands, flood plain, steep slopes to varying degrees. This further reduces the site area.
- 3) Unrestricted Land: This is determined by subtracting the Resource Protection Land area calculation.
- 4) Recreation Space: Larger developments require recreational open space. This calculation then reduces the area to a Net Buildable Site Area.

Tackett said that once all the sections and calculations of Section 801 are completed, the final step is to determine the Maximum Impervious Surface allowable for development, which is the surface area that does not allow water to pass through -- such as paved parking lots or buildings.

Tackett said the way Section 801 is currently written, the calculation for Maximum Impervious Surface is based on the Base Site Area (the area at the beginning of the calculation) rather than the Net Buildable Site Area. Tackett noted that the intent of Section 801 (together with Comp Plan) appears to be to utilize Net Buildable Site Area as the basis for determining development intensity, rather than current calculation based on Base Site Area, which essentially gives credit for the undevelopable area. Harris said that at some point an error occurred between the definition in the ordinance and the calculation in the ordinance, which is what they were looking to correct.

There was discussion on how this differed from residential, single lots. Tackett said that residential is based on the Net Buildable Site Area. Tackett noted that in the past, it was established by previous zoning officers and managers, if a property owner comes in for a shed, for example, they are not typically asked to do a site analysis and they have used the Base Site Area. She noted, however, that the overlays are always applied and there may be instances when an analysis is required.

Harris noted that residential properties are single lots with no open space or recreational space calculation requirements. Tackett said it could be argued that a single lot had been part of a subdivision and that those calculations would have been taken into account at the time. She said the individual lots are the area that is developable. Tackett said if the Board wants to revisit lot area and how they apply that on an individual application it could be addressed in the future, but said she saw that as a separate issue.

Tackett said the issue tonight had more to do with qualifying land development and subdivision. She requested direction from the Board as to whether the Township would choose to:

- A. give impervious surface credit elsewhere on the site for those natural resources that cannot be developed (based on Base Site Area, as per the current Ordinance language); or
- B. have the amount of impervious surface be based on the Net Buildable Site Area (as per the proposed amendment).

Anita Nolan, asked that if the landowner paid money for the 19 acres, why would they not get credit for 19 acres. Tackett said it could be argued that if the property is 50% in a flood plain, for example, the property value will reflect those limitations and conversely, property with no limitations and can be fully developed, will have a higher value.

There was further discussion on how individual, residential lots are affected. Carl Ruthardt, PC member, asked if one process could be established for development and one for residential. He said the Planning Commission had discussed the overlay areas at length and he provided the Board with information concerning lot area definitions. Upmalis, PC Chairperson, said he was concerned how this amendment would affect individual lots. Harris said that property owners are always able to apply for a variance for relief.

Lewis suggested adding clarifying language to Section 801 to specify that it applies only to land development and subdivision. Harris said language could be used to distinguish between residential, commercial, and industrial. Tackett said they could use the terminology "qualifying developments," which have a bigger impact. She said homeowners could be held to a lesser standard, but would still not be permitted to build on natural resources with development limitations.

Upmalis said that using the "qualifying" language would solve this issue. Blanchard said he was in favor of the proposed change to Net Buildable Site Area. Helms said he thought Net Buildable Site Area had been the original intent of the ordinance language.

Motion: to send Proposed Draft Ordinance 248: Site Capacity Ordinance Amendment with “qualifying development” language to the Tinicum Township Planning Commission and Bucks County Planning Commission for review and comment.

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

D. Regular Business

2020 Pennsylvania Minimum Municipal Obligation required by Pennsylvania Municipal Retirement.

Motion: to confirm receipt of the memo and estimation of the MMO for the Tinicum Township Non-Uniform Defined Contribution Plan for the year 2020 as \$21,727.

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

Motion: to confirm receipt of the memo and estimation of the MMO for the Tinicum Township Uniform/Police Defined Benefit Plan for the year 2020 with a required contribution of 3% as \$14,901.

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

Motion: to resolve, that the Tinicum Township Board of Supervisors, on behalf of Tinicum Township, in accordance with the Police Contract, Item 22 Pension Retirement Benefits, approves the requirement for member contribution in the amount of 3% to the Police Pension for the calendar year 2020. The Board reserves the right to amend/revise the uniform Plan MMO worksheet if State Aid provides sufficient funding to cover the Township’s costs. In accordance with the 1989 uniform Pension Contract with Pennsylvania Municipal Retirement System, a member contribution in the amount of 3% will be required to assist the Township with funding for the plan.

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

1) Minutes:

Motion to: approve the Minutes of the August 20th meeting as written with no attachments.

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

2) Treasurer’s Report & Budget Recap: The Treasurer’s Report and Budget Recap for August will be available at the next meeting.

3) Payroll Report:

Motion to accept the Payroll Reports for the period ending August 16th in the amount of \$27,239.72.

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

4) Disbursements:

General Fund	Amount	Memo
Staples Credit Plan	\$ 167.19	Staples Credit Plan
Aflac Business Services	\$ 280.04	February Supplement Ins (withheld)
VerizonWireless	\$ 224.05	Police Wireless
VISA	\$ 84.49	4785 / BCMT-Martie & bldg supplies
Merry Maids	\$ 450.00	Janitorial Services July 29 Aug 12 & 26
Keystone Municipal Services Inc	\$ 1,560.00	Keystone Municipal Services Inc
Service Electric Telephone	\$ 386.98	Telephone Service
Grim, Biehn and Thatcher	\$ 184.14	Public Notice ZHB
Courier Times, Inc.	\$ 551.77	Legal Notice Ramelli
Internal Revenue Service	\$ 2,083.85	Employer FICA Tax
Payroll Fund	Amount	Memo
Pa period ending 8/16/19	\$ 20,532.04	Paychecks
Internal Revenue Service	\$ 4,812.77	Employee FICA Tax
PA Dept of Revenue	\$ 836.26	Employee State Tax
Capital and Equipment	Amount	Memo
Matthew Labant Roofing	\$ 3,450.00	Admin Bldg Roof Replacement
Park Fund	Amount	Memo
Twining Construction Inc.	\$ 24,408.00	Tinicum Community Park Walking Path

Motion: to accept the disbursements as written.

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

E. Miscellaneous/Public Comment

Headquarters Bridge

Jesse Salamun, Headquarters Road, asked if there were any updates from Representative Ullman regarding the Headquarters Bridge. Rosamilia said they have not received any updates, but thought there would not be any until after the court decision in October.

Anita Nolan, McCann Drive, asked about resurfacing Sheephole Road, as was discussed at previous meetings. Rosamilia said there was no gravel road funding available for 2020. Rosamilia said Public Works will put more effort towards grading the road. He noted that the material Driving Surface Aggregate (DSA) works like pavement material.

Tim Cashman, Quail Lane, said Headquarters Road is in terrible shape. Rosamilia said the Township contacts PennDOT regularly but recommended that the residents also contact them. Lewis said the PennDOT portal enable residents to attach pictures of the problem and provides a tracking number for follow up.

F. Executive Session

Supervisor Rosamilia recessed the regular meeting at 8:28 pm to discuss matters of potential litigation. Rosamilia called the meeting back to order at 8:58 pm. There was no action to report.

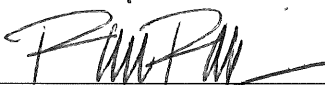
J. Adjournment

Motion: to adjourn the meeting at 8:59 pm.

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

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

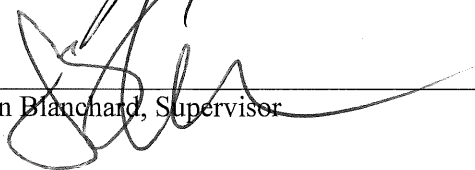
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