

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

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

Tinicum Township Board of Supervisors Meeting Minutes September 15, 2020

Supervisors Jim Helms, John Blanchard and Richard Rosamilia were present with Manager Teri Lewis and Township Solicitor Steve Harris. The meeting was held in the Tinicum Township building meeting room. There were approximately 8 people in attendance. Masks and social distancing were required.

Chairperson Jim Helms called the public meeting of the Tinicum Township Board of Supervisors to order at 7:30 PM followed by the Pledge of Allegiance.

A. Announcements

Helms announced the following:

- 1) The Board met earlier in the day at 4:00 PM to begin preliminary 2021 Budget discussions. He stated that subsequent Budget Meetings would be advertised on the Tinicum Township website.
- 2) The Board held an executive session prior to the start of the Board meeting to discuss matters of potential litigation.

B. Public Comment Session

Tretton Wedding Venue Zoning Hearing Board Application Concerns

Michael McIntyre, Creamery Road, said he attended the last Board of Supervisors meeting to discuss issues concerning the Tretton wedding venue application. Helms noted that the Board had heard discussions at the last meeting and had received multiple letters concerning the matter. Helms stated that the application was before the Zoning Hearing Board, not the Board of Supervisors.

McIntyre said he wanted to discuss a few more items and presented a handout that contained photos showing the area and the proximity of the proposed venue to the road. He said the neighborhood is very rural, residential and many of the properties were under Act 319 or conservation. He said there are four ingress/egress roads -- two road are over two single-lane bridges and two go through residential areas. McIntyre said the proposed venue is very close to the road. He said that five of the properties bordering on Creamery were required through conservation easements to place their houses very close to the road.

McIntyre asked the Board of Supervisors if it would be possible to have the Zoning Hearing held in public instead of via Zoom. Harris stated it was the decision of the Zoning Hearing Board (ZHB), not the Board of Supervisors, as to how the meeting would be held.

Harris said he had been involved in a similar ZHB situation in another township. He said the applicant and the opposition agreed to have a spokesperson, an attorney, experts and a limited number of people representing each side. He said they agreed to limit it to fifteen so the hearing could be held in public. Harris said it was his understanding that the ZHB would be open to that option in this situation. He asked McIntyre and his neighbors if they would agree to a limited number of people to represent their side so the hearing could be held in person. Harris asked McIntyre to let him know by the end of the week. He said that if an agreement could not be reached to limit the number of people, and 30 to 40 people planned to attend, the ZHB would conduct the meeting via Zoom.

Harris noted that the hearing must be held within a strict timeframe. He said the applicant had previously agreed to an extension/continuation, but were clear that they would not agree to more. He said if the meeting was not held, either in person or virtually, within the required time period, the applicants would be granted a deemed approval. Harris said that McIntyre should speak with his attorney and see if they could work it out so that the total number of attendees at the meeting would not exceed the maximum number of twenty-five.

Blanchard asked if the Zoning Hearing Board had opposed using the larger venue of the Public Works Building and any overflow could stand outside. Harris said there were issues with people standing outside if they say they cannot hear and/or want to participate in the meeting. Harris said the goal was to arrange an in-person meeting, but it would require some coordination with the ZHB attorney and the attorney for the opposition. He said they could live stream on Zoom at the same time and people could participate virtually. Helms said that typically people who want to participate virtually must request party status prior to the meeting.

Helms said if the meeting was to be held in public, the opposition would need legal representation to represent them and thirty people cannot show up. Harris noted that there were members of the ZHB who were very concerned about the safety of in-person meetings.

Helms said that it has been the policy of the Board to stay neutral on the ZHB matters. He noted that the Board agreed to have Harris attend the meeting, not to take a side, but to represent that the variances requested were understood with regards to the current zoning laws.

C. Police Report

Acting Chief Nicole Madden, Tinicum Township Police Dept., gave the following report for August:

- 189 Incident Reports: 99 service calls, 60 traffic calls, 19 crime-related calls, 2 court-related and 9 training.
- Arrests:
 - Officer Compas arrested a male on a State Parole warrant following a brief foot pursuit.
 - Officer Gerding made a DUI arrest following a traffic stop on 611.
- 4 Reportable Traffic Accidents:
 - A single vehicle accident occurred on Route 113. The vehicle drove off the road and rolled over on a curve, due to improper driver actions.
 - A three-vehicle accident occurred on River Road, due to distracted driving. Substantial damage was sustained to all vehicles. No injuries were reported.
 - A single-vehicle accident occurred on Hollow Horn Road as the result of a driver swerving to avoid an animal. The driver struck a tree and sustained minor injuries.
 - A single-vehicle accident occurred on Geigel Hill Road when a Fed Ex driver lost control of the vehicle. The vehicle struck a utility pole and the driver was transported to the hospital.
- Police Activity:
 - A human bone was found in the Delaware River on Resolution Island by a tuber. The report was originally taken by New Jersey State Police who conducted the initial investigation. Tinicum Township Police Department took possession of the evidence and transported it to the Bucks County Coroner's Office who confirmed it was a human left radius [arm] bone. The evidence was sent to Texas for DNA identification.
 - As noted at the September 1st meeting, a rope swing on the Delaware River bank was causing issues over the summer including several injuries. Chief Madden worked with the property owner, the Delaware River Port Authority, to have it removed. Chief Madden stated that on August 19th the Port Authority came and evaluated the location. The Port Authority said they would be hiring a contractor to clear the area, remove the rope swing, and address the trees so that nothing can be hung from them. Additionally, Office Compas was able to establish who had built the rope swing area and advised them they could not make alterations to the landscape.

D. Old Business

Pennsylvania Municipal Retirement Service (PMRS) and IRS Compliance Request for Ordinances to Reinstate and Update the Police and the Non-Uniform Plans as Advertised.

Helms stated that PMRS requests ordinance(s) to reinstate and update both the Police and the Non-Uniform plans. He noted there were no changes to the plans. Lewis said these documents and the adoption as Ordinances are necessary for PMRS and IRS requirements.

Motion to: adopt Ordinance 250 PMRS Police Plan.

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

Motion to: adopt Ordinance 251 PMRS Non-Uniform Plan.

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

E. New Business

Consideration of Installation and Maintenance Agreement for Keith Pugliese 28 Iron Bridge Road

Lewis said they had received Construction Escrow and the Operation and Maintenance Agreement Escrow. She said that Harris had prepared the necessary documents.

Motion to: approve the Pugliese Installation and Maintenance Agreement and authorize Steve Harris, Township Solicitor, to notarize and record the documents.

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

F. Regular Business

1) Minutes:

Motion to: approve the Minutes of the September 1st, 2020 meeting as written.

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

2) Treasurer’s Report & Budget Recap:

Helms stated the Treasurer’s Report and Budget Recap for August had been received by the Board and posted on the bulletin board.

3) Payroll Report:

Motion to: accept the Payroll Reports for the period ending August 28th in the amount of \$24,213.09 and September 11th in the amount of \$24,177.63.

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

4) Disbursements:

Motion to: approve the below listed disbursements.

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

General Fund	Amount	Memo
Holicong Locksmiths	\$245.10	Alarms
Ricoh Americas Corp	\$293.00	Ricoh Americas Corp
Courier Times, Inc.	\$290.18	ZHB Tretton
Merry Maids	\$198.00	September Cleanings
Tackett Planning, Inc.	\$5,195.00	Tackett Planning, Inc.
Met-Ed	\$302.23	Electricity Pol and Admin
Met-Ed	\$134.86	Electricity PWD
Met-Ed	\$31.59	Electricity Traffic Light
PennTeleData	\$180.21	3026174
Staples Credit Plan	\$40.97	Police Supplies
Cooper Mechanical	\$196.52	Police Ac repair
Ehrlich Green Team	\$606.00	Annual Pest Control Police Dept
Internal Revenue Service	\$2,259.83	Employer FICA
Harris and Harris	\$4,842.05	Legal Services
WEX, Inc	\$424.47	Police Fuel
DelGuerico’s Inc.	\$155.00	Trash and Recycle Removal

Keystone Municipal Services	\$1,683.00	Bldg. Insp and Reviews
Ready Refresh	\$104.20	Bottled Water
Earthlink	\$61.90	Website Hosting
Gall's Inc.	\$223.94	Police Uniform Supplies
Payroll Fund	Amount	Memo
Pay period end 8/28/20	\$18,446.22	Paychecks
Internal Revenue Service	\$4,112.15	Employee Tax Withheld
Pa Dept of Rev	\$ 743.35	Employee Tax Withheld
Pay period end 9/11/20	\$18,361.94	Paychecks
Internal Revenue Service	\$4,161.41	Employee Tax Withheld
Pa Dept of Rev	\$ 742.26	Employee Tax Withheld
State Fund	Amount	Memo
Suburban Propane	\$601.54	Diesel Fuel
Blue Tarp Financial	\$937.44	Air Wrenches
Plumstead Materials	\$1073.08	Stone
H & K Materials	\$250.50	Asphalt
Wehrung's	\$69.81	Supplies and Hardware
Tractor Supply	\$190.78	Supplies and Hardware
Capital and Equip	Amount	Memo
Asphalt Maintenance	\$1,225.00	Geigel Hill Bridge approach
Bux-Mont Asphalt	\$227.00	Geigel Hill Bridge approach
Open Space Project Fund	Amount	Memo
Pennsylvania Abstract Co.	\$27,411.75	Conservation Easement Purchase

G. Zoning:

1) Ordinance 252: Zoning Ordinance Clean Up for Zoning Codification

Helms stated that the Ordinance was currently under review by the Bucks County Planning Commission and it was anticipated that they would receive a response in October. He said that purpose of the ordinance was to clarify and correct inconsistencies in the ordinance and move forward with Codification.

2) Announcement: Zoning Hearing Board Application ZHB 2020-4 The Tretton Farmstead

Request is for relief from various sections of the ordinance to allow the use of a barn for a wedding/event venue. The property located on 31 Creamery Road, Ottsville, is located in the Commercial District. TMP# 44-001-022-002. The hearing, originally scheduled for August 13th, was convened and continued to September 24th at 6:45 PM. Interested parties wishing to attend must email the Zoning Hearing Board Solicitor, Mary Eberle, at meberle@grimlaw.com, prior to noon the day of the hearing, to request an invitation to the remote meeting. Updates regarding the meeting will be posted on the website.

H. Miscellaneous/Public Comment

1) Shredding Event September 26th

Helms announced that Representative Ullman and Senator Santarsiero will be hosting a document shredding event at Groveland Elementary School, 1100 N Easton Rd., Plumstead Township, from 10:00 AM to noon on September 26th. This is a contactless event and the maximum is three file boxes of paper per car.

2) Delaware Valley Fire Company Fall Car Show September 27th

The outdoor event will be held at the Delaware Valley Fire Company from 9 AM to 2 PM located at 75 Headquarters Road, Erwinna.

I. Executive Session

Supervisor Helms recessed the regular meeting at 8:55 PM to discuss matters of personnel and potential litigation. Helms reconvened the meeting at 8:35 PM. There was no action to report.


J. Adjournment

Motion: to adjourn the meeting at 8:36 PM.

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

The next meeting of the Board of Supervisors is scheduled for October 13th.

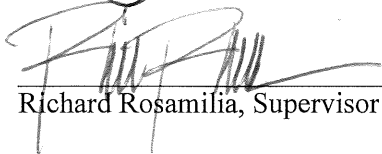
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Jim Helms, Chairperson



John Blanchard, Vice-Chairperson



Richard Rosamilia, Supervisor