

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 December 7, 2021

Supervisors John Blanchard, Jim Helms 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 18 people in attendance.

Chairperson John Blanchard 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

Blanchard announced the following:

- Public Comment will be held at the end of the meeting.
- The Administrative Office will be closed from Dec. 27 through Dec. 31.
- Proposed Local Traffic Advisory Committee (LTAC): Lewis contacted PennDOT, Doylestown Township, College Township, Bridgeton Township and Middletown Township and continues to gather information with regards to guidelines for establishing an LTAC in Tinicum Township.
- Speed Study Request for Route 32 South: Lewis requested a new speed study for the area of Route 32 between the Golden Pheasant and the Point Pleasant Bridge, which is a prerequisite for any consideration of further modifications.
- An Executive Session was held prior to the meeting from 7:00 to 7:30 PM that evening to discuss matters of potential litigation.

B. Old Business

1. Tretton Wedding Venue Settlement Proposal [TMP 44-001-022-002]

Dan Lyons, Obermayer Rebmann Maxwell & Hippel, attorney for Tretton, reviewed the revised Settlement Stipulation plan and explained his client's reasoning and why the Township should approve the Stipulation as follows:

- Parking:
 - The applicants believe that parking should be based on the number of persons attending an event, not the area of the event space which is why so many parking spaces are required.
 - The number of parking spots should be reduced to 52. (One parking space for every table with four seats or 1 space for each 50 square feet of ground floor area used or intended to be used for service to patrons, which requires the greater number of off-street parking spaces, plus 1 for each full-time employee.) 52 parking spaces including 44 guest spaces and 8 staff spaces.
 - A smaller parking area would minimize land disturbance and retains more natural resources on the property.
 - A smaller parking area would reduce the required lighting improving situation for neighbors.
- Impervious Surface: Removal of the corn crib (in right-of-way of Creamery Road) and 2 smaller structures reduces the impervious surface ratio to 18.69% without the need to demolish the historic house.

- Land Development Review: The Final Settlement Plan would be subject to final land development and the Township and Township professionals will have additional reviews of the project before final land development decision. Specifically plan notes 5, 6, 12, 13,14, and 15 acknowledging work required with the Township during land development process as follows:
 5. All traffic directed toward Durham Road. Left turn restrictions and signage to and from Route 611 installed to the satisfaction of the Township Engineer and Road Master and subject to PennDOT approval.
 6. Grading Plan is required to be submitted and approved by the Township.
 12. Parking lot lighting and landscaping provided to satisfaction of the Township.
 13. The applicant shall provide a transportation impact study in accordance with section 522 of the township SALDO.
 14. All parking area shall be constructed with a maximum 5% slope and be a material approved by the Township Board of Supervisors.
 15. Sewage facilities shall be in accordance with Bucks County Health Dept. and PA DEP requirements. The Township agrees to work with the applicant to develop an adequate sewage management plan.
- Loading Space: The applicants propose to enlarge the loading area to a compliant size of a 15' x 50' loading area. Although there would only be one loading area instead of two. The applicants believe one area is sufficient to accommodate flowers, food and beverage delivery necessary for a wedding venue. (Tables/chairs are already at the venue.) Deliveries would be staggered to avoid back-up and, although the area can accommodate a large truck, deliveries would largely be made by smaller delivery trucks. In addition, the elimination of the second loading area would reduce impervious and have less of a visual impact for the neighbors.

Lyons stated that Tretton had filed a November 30th court appeal, which, if granted, would increase impervious to 23.75% for an additional 5%. He noted that a wedding venue was a preferable permitted commercial use because it would be used only a few times a week compared to the continuous use of a convenience store.

Lyons said that the revised settlement agreement would extinguish the need for two of the three denied variances and the only remaining request would be one vs. two loading docks. He said that there was not a need for additional impervious loading docks as the Trettons provide the tables and chairs and the only deliveries would be flowers, food and drink, which are delivered by smaller vehicles.

Lyons stated that if the settlement agreement was executed, the plan would not be the final land development plan and the applicant understands that it was subject to additional reviews and the satisfaction of the Township and its professionals.

He said that the settlement agreement would not require demolition of the home, but the Trettons planned to remove a corn crib that was currently very close to the road and a possible hazard.

Lyons clarified that this was the Settlement Plan, not the "By-Right" Plan. After discussion concerning offsite parking, Lyons stated that they would make amendments accordingly. It was noted that the plan provided for a guest capacity of 175 and the required number of employees.

The Board asked Lyons if he wished to speak with the applicant regarding an option to decrease the square footage of the event space, to meet the required parking for the E9 use.

Lyons returned from a five-minute recess with the applicant and stated that the applicants agreed to reduce the event space to 2,500 square feet. He said this would reduce the parking requirement to 56 and be accommodated on the plan without tearing down the historic house. Lyons said with the reduction of the event space no parking variance would be required. The Supervisors agreed that they would support the Settlement Agreement with one loading space instead of two and no other variances.

Motion: to approve the Tretton Revised Settlement Agreement with the conditions that the event space will be limited to 2,500 square feet, one loading dock, no offsite parking, and a limitation on the impervious surface ratio of 18.69%.

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

2. KFS Stormwater and Unilateral Restrictions and Covenants Agreements

The Board signed the Stormwater and Unilateral Restrictions and Covenants Agreements for KFS/Knowles, Tax Map Parcel #44-026-007, 50 E. Dark Hollow Rd, Pipersville, PA, as per the Conditional Use #2021-05 decision. Lyons said he would record the agreements.

C. New Business

1. Appointment of Hutchinson, Dillihan and Freeh, P.C. Auditors

Motion: to appoint Hutchinson, Dillihan and Freeh, P.C. to examine the books and perform the annual audit of Tincum Township for the fiscal year 2021.

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

D. Regular Business

1. Budget Recap and Treasurer's Report

The Budget Recap and Treasurer's Reports for November will be provided at the December 21st meeting.

2. Minutes

Motion: to approve the November 16, 2021 minutes as written.

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

3. Payroll Reports

Motion: to accept the Payroll Report for pay periods ending October 22nd in the amount of \$32,068.91 and November 12th in the amount of \$31,875.92.

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

4. Disbursements:

Motion: to approve the following disbursements.

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

General Fund	Amount	Memo
STTC Service Tire	\$608.78	Police Tires
SIRCHIE Finger Print Laboratory	\$117.72	Police Supplies
Keystone Municipal Services Inc	\$1,830.75	Building and Zoning Services
Verizon Wireless	\$214.95	Police Wireless
Harris and Harris	\$3,281.23	Legal Services October
MAGLOCLEN	\$400.00	Membership and Dues
All Traffic Solutions Inc	\$1,500.00	Traffic Suite Reporting Elec Speed Sign Device
Allied Administrators for Delta Dental	\$507.92	Dental Insurance
WEX, Inc	\$428.27	Vehicle Gas Police Dept
Hartford Insurance	\$422.46	Life and Dis Insurance
Merry Maids	\$115.00	Janitorial 11-1-21
Staples Credit Plan	\$91.91	Police Supplies
PennTeleData	\$316.55	Internet Modems
Holicong Locksmiths	\$124.39	Admin Alarm Monitoring
Ricoh Americas Corp	\$93.00	Ricoh Americas Corp
Met-Ed	\$21.28	Electricity Park
Met-Ed	\$144.27	Electricity PWD
Met-Ed	\$250.67	Electricity Police and Admin
Met-Ed	\$30.41	Electricity Traffic Light
CODY Systems	\$4,527.00	Police ASM 2022 and Cloud Hosting
Uniform Gear	\$370.74	Uniform Supplies
Interstate Battery Systems	\$194.95	Police Dept Fleet replacement battery
Allied Administrators for Delta Dental	\$870.06	Allied Administrators for Delta Dental

ReadyRefresh	\$123.14	Bottled Water
Blum-Moore Reporting Services	\$300.00	Stenography ZHB
H.A. Thomson, Risk Management	\$1,006.00	Treasurer's Bond
Keystone Municipal Services	\$2,211.25	Zoning and Building Services
Uniform Gear	\$442.43	Uniform Gear
Aflac	\$218.46	Supplemental Insurance
Petty Cash	\$62.84	Replenish petty cash
Courier Times	\$573.20	Legal notices and advertising
Payroll Fund	Amount	Memo
Account Edge Payroll Service	\$31,881.47	Pay period end 10-22-21
Account Edge Payroll Service	\$31,688.48	Pay period end 11-5-21
Account Edge Payroll Service	\$116.57	Payroll Service
State Fund	Amount	Memo
Suburban Propane	\$874.99	Diesel Fuel
Plumstead Materials	\$1,084.56	Stone
H & K Materials	\$3,217.39	Asphalt
Balascio Excavating	\$2,940.00	Backhoe Rental
NYCO Corp	\$159.82	
Michaels Garage	\$135.00	Hired Repair
PPC Lubricants	\$724.55	hydraulics and filters
VISA	\$866.95	Light Bar F350
Plumstead Materials	\$1,477.34	Stone
H & K Materials	\$362.34	Asphalt
Plumstead Materials	\$1,765.59	Stone
Plumstead Materials	\$1,688.20	Stone
Escrow Fund	Amount	Memo
John Spognardi	\$4,307.60	Refund of Construction Escrow
Open Space	Amount	Memo
Del Val Regional Finance	\$11,500.81	Open Space Bond Payment

E. Zoning Hearing Schedule:

Withdrawn: Zoning Hearing Board Appeal #2021-03 Davidson – previously scheduled for December 9

- The property is located at 72 Walters Lane, Pt. Pleasant and zoned Residential Agriculture.
- Tax Map Parcel #44-033-013-005.
- Applicant seeks a variance from the Floodplain and Riparian Corridor Overlay Districts and the Zoning Ordinance side yard setback regulations to construct a single-family home with deck and an on-lot septic.

January 13, 2022: Zoning Hearing Board Appeal #2021-08 Zimmerman / Hilltop Farm and Fence

- The property is located at 113 Durham Road, Ottsville and zoned Village Residential.
- Tax Map Parcel #44-036-027.
- Applicant seeks variance for a fence not installed in accordance with the permit.

February 3, 2022: Zoning Hearing Board Appeal #2021-07 Continuance for Johnston Regarding Tretton

- The property is located at 31 Creamery Road, Ottsville and zoned Commercial.
- Tax Map Parcel #44-001-022-002.
- Applicant appeals the decision of the Zoning Officer relating to the Tretton wedding venue conforming use.

Stayed - Pending Zoning Hearing Board Appeal: Conditional Use Hearing Appeal #2021-02 for Watson

- The property is located at 25 Tammany Road, Upper Black Eddy and zoned Country Residential.
- Tax Map Parcel #44-006-017.
- Applicant seeks relief from side yard setback to construct a single-family dwelling, deck and septic.
- The Watsons appealed the Zoning Hearing Board decision to the court. If the decision is overturned this hearing will be rescheduled. If upheld, there is no basis for appeal and the hearing will be canceled.

F. Public Works

Sale of Equipment / Acceptance of high bid 1999 F350

Motion: to accept the bid of \$11,700.00 for the sale of the 1999 F350.

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

Motion: to authorize the Public Works Director and/or Manager to sign on behalf of the Township.

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

G. Public Comment

Tretton Wedding Venue Discussion

John Cole, Planning Commission, said that the number of parking spaces for a wedding venue was unrealistic and asked if the parking limit would be enforced if additional cars showed up? Carl Ruthardt, Planning Commission, said at the Zoning Board Hearing information was presented stating that on average one car will carry 1.75 to 2 people to a wedding event and asked how 52 spaces equated to 175 people?

Helms stated that was the number of parking spaces allowed by the zoning ordinance and they must abide by the laws in place. He said that it could be addressed in the future by the Planning Commission but cannot be changed now. Harris said that the zoning ordinance speaks in terms of one parking space for every table with four seats. He said that works out to 52 spaces - 44 guest spaces plus 8 spaces for employees.

Cole asked how the building would be reduced to only 2,500 usable square feet? Harris said it would be resolved by the building code official. Harris noted that there are a number of things needed to bring the venue into compliance with code, including how the usable 2,500 square foot building space will be delineated so that it cannot be expanded.

Ruthardt said the original plan showed 8,000 square feet over the maximum impervious allowed and asked how that had been resolved? Helms said that they would have to comply with impervious during the Land Development review and the engineering firm would need to ensure that the impervious requirements were met. Helms said he believed the reduction in impervious was the result of the proposed removal of the corn crib and another outbuilding in the current plan.

River Road Safety and Traffic Calming Discussion

Richard Balukas, River Road, asked who at PennDOT would be conducting the speed study. Lewis said she had contacted Don Centafonte and requested a study to determine the feasibility of lowering the speed from the current 35 mph to 25 mph on the portion of River Road [Route 32] from the Golden Pheasant south to Point Pleasant Pike citing ongoing concerns from residents, recent crashes, sight distance limitations and the configuration of the roadway.

Balukas said because homes feed directly onto River Road, he was requesting that the Board look at other variables in addition to speed studies and to represent to PennDOT to have the speed limit on River Road lowered to 25 mph. Helms said the Board had been able to make the argument to PennDOT to extend the 25-mph zone to the last house in the village section of Point Pleasant, but noted that going north from the village there were large gaps between groups of houses. Helms said that based on the previous 85 percentile studies from PennDOT and the Federal Highway Administration [that analyze the speed at which 85% of traffic will be traveling at, or below, along a street or road under free flow conditions], lowering the limit to 25 mph on the rest of River Road would result in motorists trying to pass and traffic accidents would increase substantially.

Cindy Gasparee, River Road, said she lives where there are 58 homes feeding onto River Road with poor site distances. She asked the Board to request that PennDOT reduce the speed to 25 mph, as they had done in Point Pleasant village. Rosamilia said the Board had not given PennDOT a specific speed. He said based on the original study done by LTAP [PennDOT Local Technical Assistance Program] the speed limit was reduced to 25 mph for an additional section of Point Pleasant and the speed limit reduced

to 35 mph for the rest of the road. He said PennDOT's investigative engineers determined what was the appropriate speed limit. Rosamilia said that additional concerns were raised at the last meeting, the Board has requested another study, and together with the residents, the LTAP engineer, and the police department would collectively decide what more they can recommend to calm the traffic.

Balukas said that three years ago he gave the Board and the police chief a number of safety recommendations concerning the Smithtown Road/River Road Intersection and none of them had been acted upon. Helms said they heard and addressed the constituents' requests at that time. He said that the speed had been reduced from 40 to 35 mph among other things. Balukas said they were only warning signs not speed limit signs. Helms said the Board is dedicated to finding solutions but they cannot dictate to PennDOT. [Board of Supervisor Minutes 9/18/2018, 10/2/2018, 10/16/2018, 12/18/2018, 2/19/2019 and 3/19/2019.]

Balukas said he wanted to establish a Local Traffic Advisory Committee (LTAC). Rosamilia said because all of the local LTACs they contacted said they excluded state roads and only made recommendations to their Boards on township roads, he had emailed PennDOT to ask how to get representation. He noted that PennDOT would only correspond through email. Balukas said that he had called PennDOT and spoken to Don Centofante. Rosamilia said since Centofante did not return his calls he asked Balukas if they could call PennDOT jointly. Balukas agreed to contact Don Centofante to request a conference call with Rosamilia the following week.

Tim Cashman, Quail Lane said the Board had always followed through with all his requests on Headquarters Road Bridge and Sheephole Road, even if they have not always agreed. He asked Blanchard, based on his experience as a police officer, if reducing the speed limit resulted in an increase in people passing? Blanchard said yes, that on his own road the speed limit was reduced from 40 to 30 mph and passing had substantially increased.

Balukas said he wanted the Township to strictly enforce speeding on River Road and asked the police to park in his driveway to catch people speeding. Blanchard said it made more sense to focus more on enforcement. He said unfortunately Pennsylvania is the only state that does not allow local law enforcement to use radar [only state police can use radar]. Blanchard said consequently a section of road must be used to determine the speed over a particular distance. He said the geography on River Road makes it very difficult to position an officer to monitor the distance, then safely pull out and to try to catch up to the vehicle.

Blanchard said Balukas and his neighbors should redirect part of their efforts towards the State Rep's office and also at the state level to change the laws to allow local police to use radar. Helms said he thought that there was a bill currently pending. Rosamilia said they could also ask for more state police presence on River Road.

Ruthardt asked about placing a flashing light at the Golden Pheasant bridge. Lewis said they would have to request a permit from PennDOT and, if granted, the township would be responsible for the installation and maintenance. Lewis said two residents near the bridge had contacted her stating they did not want lights flashing near their houses.

Ruthardt asked the Board to consider installing reflectors on the guard rails [leading to and from the Golden Pheasant bridge] and a sign that says cars should alternate. He said they should try to prevent larger trucks from coming down E. Dark Hollow Road and onto River Road. Helms said he thought there was a weight truck sign to prevent larger trucks and it should be checked to be sure it was still in place.

John Cole, Hollow Horn suggested a 3-way stop sign at the intersection of River Road and Smithtown Road. Helms said the previous studies indicated that, due to sight distances, there was not enough reaction time to stop without being rear ended. Cole acknowledged that studies were needed to back up the requests. He asked for a speed study for Hollow Horn Road.

Headquarters Bridge Update

Rosamilia said that the Army Corp of Engineers have issued a permit for the Headquarters Bridge project, but a supersedeas [a court order, from a higher court commanding a lower court to suspend a particular proceeding] had been filed. Cashman said that the Army Corp revised the permit to include an erosion clause that requires PennDOT to take care of future erosion issues.

Introduction of new Supervisor Eleanor Breslin

Rosamilia introduced Eleanor Breslin. Breslin will be replacing John Blanchard as Supervisor in 2022.

H. Miscellaneous

Thank you, Supervisor John Blanchard

Rosmailia thanked John for his service to the community. Blanchard said that he was proud to serve the community for 6 years and wished Breslin the best of luck.

I. Executive Session

Blanchard recessed the regular meeting at 9:13 PM to discuss matters of personnel. Blanchard reconvened the meeting at 9:34 PM. There was no action to report.

J. Adjournment


Motion: to adjourn the meeting at 9:35 PM.

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

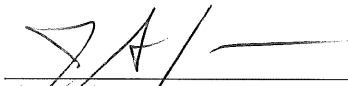
The next meeting of the Board of Supervisors is scheduled for December 21, 2021 at 7:30 PM.

TINICUM TOWNSHIP BOARD OF SUPERVISORS

John Blanchard, Chairperson



Richard Rosamilia, Vice-Chairperson



Jim Helms, Member