

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 August 17, 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 approximately 22 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:

- The Board held a short executive session at 7 pm, prior to the meeting, to meet with a potential volunteer for the Land Preservation Committee.
- The Board held an executive session on July 20th from 4 - 5 pm and on July 29th from 4 - 5 pm to discuss personnel matters.
- The public comment period would be held at the end of the meeting.
- The Board thanked an anonymous donor who worked with Public Works to fund and install new fencing for the tennis court at Tinicum Township's Four Brooks Park.

B. Emergency Services

Small Town America Civic Volunteer Award Nomination

The Board nominated Doug Skelton, Public Works Director, for his service over the years on both volunteer fire companies, for his work as the emergency management coordinator who developed the Township's first Emergency Management Plan, and for facilitating the partnership between the fire companies and the Township to enable faster emergency response times for residents.

C. Police Report

Chief Madden, Tinicum Township Police Dept., gave the following report for July:

- 177 Incident Reports: 90 service-related calls, 27 were investigative in nature including 3 DUI arrests, 4 fraud, 1 criminal mischief, 55 traffic related, and 5 court or training.
- 5 Reportable Traffic Accidents:
 - A single-vehicle accident on route 611 was the result of impaired driving.
 - An accident on River Road (route 32) involving a vehicle and a bicycle was due to improper actions on the part of both operators.
 - A single-vehicle accident with damage to the vehicle occurred due to the vehicle striking potholes on route 611.
 - A two-vehicle accident at the intersection of routes 611 and 113 was due to careless turning.
 - A single-vehicle accident at River and Headquarters Roads was due to impaired driving.

D. Old Business

1. 2021-2024 Police Contract

The Board announced that a four-year contract (2021, 2022, 2023, 2024) with the Tincum Township Police Department had been finalized.

Motion: to approve the Tincum Township 4-year Police Contract.

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

2. Tretton Farmstead Draft Settlement Agreement Review

Harris stated that the Tretton Farmstead had requested six (6) variances to allow a wedding venue on the property at 31 Creamery Road in Ottsville and the Zoning Hearing Board granted three (3) and denied three (3) of the variances. He said there was opposition from a group of neighbors. Harris stated a negotiated settlement agreement was reached with neighbor Thomas McIntyre, which also incorporated the Township restrictions.

Harris said the next step for Tretton would be Land Development approval. He said Township Engineer, Tom Fountain, had reviewed the preliminary Land Use and Grading plans and had issues/suggestions, concerning lighting requirements, road access, signage, etc. Harris said the comments would be submitted to the attorneys involved.

Harris recommended the Board delay their review of the Settlement Agreement until September 7th in order to allow both parties time to assess the comments from the Engineer.

Motion: to reschedule review of the Tretton Farmstead Settlement Agreement to September 7th Board of Supervisors Meeting.

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

E. New Business

1. Consideration to Repeal Ordinance 185: Dirt Road Seasonal Weight Limits and Signage

Ordinance 185 (enacted in 2008) established seasonal weight and width restrictions for vehicles utilizing Township roads with 50% or greater dirt and gravel surfaces.

The Board provided the following considerations for repealing Ordinance 185:

- In most cases, the trucks on the dirt roads were delivering goods or services, such as oil delivery or garbage pick-up, to the residents on the dirt roads.
- Because the Township cannot prevent goods and services from being delivered to the dirt road residents it is unable to enforce the Ordinance.
- Signs denoting the seasonal weight limitations must be posted at the entrance of every road that enters onto the dirt road, pursuant to Section 4902 of the Pennsylvania Vehicle Code. These signs have now deteriorated and must be replaced. The cost to replace the signs is approximately \$8,000.

Rosamilia said the original intent of the ordinance was that during certain times (seasons) of the year the trucks contributed to potholes, but noted that the Township cannot prevent trucks from delivering essential services, such as heating oil, to the residents. He said he did not think trucks were using the dirt roads as a short cut and asked if Chief Madden had received any complaints. Chief Madden stated that her office had not received complaints of trucks on dirt roads that were not there to provide services to the residents of the dirt road. Helms noted that in his experience trucks will avoid traveling on the dirt roads. John Cole, Ervin Road, stated that as a delivery truck driver he avoided dirt roads at all costs.

Lewis stated that repealing Ordinance 185 would not affect the bridge weight limits. Harris stated the ordinance was not being enforced and recommended that the Board repeal it.

Motion: to advertise Ordinance 253: Repeal of Ordinance 185 Dirt Road Signage and Weight Limits.

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

2. Microplastics Ad Hoc Committee

Rosamilia stated that Marion Kyde had volunteered and asked Eleanor Breslin, who had requested establishment of the Microplastics Committee, if she thought the two of them would be sufficient to get the committee started. Breslin stated that she would meet with Kyde and they intended to develop a plan and recruit more volunteers.

3. FEMA Elevation Grants

Blanchard stated a fact-finding conference call with PEMA/FEMA had been held on July 27th from 2 pm to 3:15 pm regarding 2019 FEMA Elevation Grant applications. He stated that no decisions were made.

Blanchard said PEMA recently informed the Township that they were ready to move forward with grant applications originally submitted in 2019. Blanchard said the Township was concerned that building material estimates generated in 2019 would now be substantially insufficient and the ability to obtain the materials and construction/management services within the timelines required by PEMA would be prohibitive. Lewis noted that the contingency is only 5%. She said the Township is working with PEMA/FEMA to research the current eligibility status and confirm if the projects can be completed within the constraints of the grant requirements. Harris noted that another call had been scheduled.

F. Regular Business

1. Budget Recap and Treasurer's Report

The Budget Recap and Treasurer's Reports for July were posted on the Bulletin Board and provided to the Board.

2. Minutes

Motion: to approve the July 13, 2021 minutes as written.

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

3. Payroll Reports

Motion: to accept the Payroll Report for pay period ending July 16th in the amount of \$29,249.48, July 30th in the amount of \$27,711.50 and August 13th in the amount of \$27,444.18.

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

4. Disbursements:

Motion: to approve the following disbursements.

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

General Fund	Amount	Memo
United Healthcare Insurance Company	\$11,097.96	Monthly Health Insurance
Ricoh Americas Corp	\$162.74	Copier Lease
Allied Administrators for Delta Dental	\$761.33	Allied Administrators for Delta Dental
Postmaster	\$110.00	Postmaster - 200 forever stamps
Harris and Harris	\$2,143.75	Legal services June
Staples Credit Plan	\$366.73	Staples Credit Plan
Help Now	\$75.00	Police IT
RR Donnelley	\$20.90	RR Donnelley
Courier Times, Inc.	\$587.00	Legal notice advertisement
Service Electric Telephone	\$417.37	Telephone Service
Keystone Municipal Services Inc	\$3,718.25	Bldg. and Zoning
DIL Computers	\$773.00	Police Department Computer replacement
VISA	\$2,181.64	Meeting room chairs and table
Merry Maids	\$115.00	Cleaning services 7-27-21
Verizon Wireless	\$215.15	Police Wireless
Staples Credit Plan	\$71.90	Office Supplies
Met-Ed	\$30.03	Electricity Traffic light
Vision Solar, LLC	\$5.50	Refund of Lheureux permit overpayment
Davidheiser's	\$70.00	Calibration services
PennTeleData	\$318.89	PennTeleData 3026174
Keystone Municipal Services Inc	\$2,848.50	Bldg. and Zoning

Met-Ed	\$30.76	Electricity Traffic Light
Blum-Moore Reporting Services	\$375.00	Watson -Stenography
Keystone Municipal Engineering	\$585.90	Engineering Services
Keystone Municipal Engineering	\$2,092.50	Engineering Services
WEX, Inc	\$926.33	Police Fleet Fuel
Gary's Septic Service, Inc.	\$285.00	Septic Service
Campbell Durrant Beatty Palombo & Miller PC	\$780.00	Campbell Durrant Beatty Palombo Miller PC
Ricoh Americas Corp	\$308.87	Copy Machine Service Contract
Internal Revenue Service	\$55.88	Excise Tax
Ricoh Americas Corp	\$93.00	5062510287 Copier Scanner
Aflac Business Services	\$145.64	February Supplement Insurance withheld
Hartford Insurance	\$343.44	Life and STD Insurance
Earth Link	\$61.90	Web Hosting
United Healthcare Insurance Company	\$11,097.96	2021 Monthly Health Insurance
DelGuerico's Disposal Service	\$155.00	Trash and Recycling Disposal
Courier Times, Inc.	\$175.00	ZHB Public Notice
Harris and Harris	\$2,885.00	Legal Services July
Merry Maids	\$115.00	Janitorial
Met-Ed	\$20.96	Electricity Park
Met-Ed	\$366.84	Electricity Police & Admin
Met-Ed	\$123.34	Electricity PWD
Cunningham's Automotive Repair	\$661.52	Police Fleet repairs
Help Now	\$75.00	Police IT Services
Payroll Fund	Amount	Memo
Account Edge Payroll Serv	\$28,702.89	Pay period end 7/16/21
Account Edge Payroll Serv	\$27,213.23	Pay period end 7/30/21
Account Edge Payroll Serv	\$296.57	Payroll Services
Internal Revenue Service	\$335.02	Payroll Tax Adjustment
Account Edge Payroll Serv	\$26,937.52	Payroll period end 8/13/21
Capital and Equipment Fund	Amount	Memo
County of Bucks	\$8,172.85	Police Radios
Wehrung's	\$1,467.32	Bldg. Permit
State Fund	Amount	Memo
Wehrung's	\$268.99	Hardware and Supplies
Asphalt Maintenance Solutions	\$97,117.65	Asphalt Maintenance Solutions
Plumstead Materials	\$2,370.39	Stone Aggregate
Capital One Trade Credit	\$1,913.76	Compressor and Parts PWD
Plasterer Equipment Co.	\$293.13	Fuel Filters PWD
Wehrung's Home Center	\$122.51	Parts and Supplies
Open Space Fund	Amount	Memo
Del Val Regional Finance Assoc	\$11,500.81	Open Space Bond

G. Zoning

1. Watson Zoning Hearing Board and Conditional Use Applications

The property is located at 25 Tammany Road, Upper Black Eddy, PA.
Tax Map Parcel 44-006-017 and zoned Residential Conservation.

A Zoning Board Hearing was held on July 22nd to hear ZHB#2021-02 for applicant Watson. The hearing was continued and the applicants subsequently withdrew their application and refiled a new appeal (ZHB#2021-06) with revised materials requesting relief to allow a rain garden for Stormwater Management in the Wetland and Wetland Margin Overlay. The new ZHB hearing is scheduled for September 23rd. The Planning Commission (PC) will review the new application at their August 24th meeting and provide their opinion to the Board at the September 7th meeting.

The applicants also seek Conditional Use approval to construct a driveway in the Wetland and Wetland Margin and Riparian Buffer Overlay Districts. The new application and Zoning Board Hearing date compels the Conditional Use be continued to November 16th.

Motion: to continue Conditional Use Hearing CU#2021-02 for Watson to Nov. 16th at 7:45pm.
Motion by: Blanchard. Second by: Rosamilia. Voted upon and passed.

2. Davidson Zoning Hearing Board Application ZHB#2021-3 scheduled for August 12th continued to October 14th.

The property is located at 72 Walters Lane, Pt. Pleasant, PA.

Tax Map Parcel 44-033-013-005 and zoned Residential Agriculture.

Applicants seek a variance from the Floodplain Overlay District and Riparian Corridor District to build a septic system and a variance from the side yard setback to construct a single-family dwelling and deck and on-lot septic system.

The PC will review the amended application at their meeting on August 24th and determination by the Board will be made on September 7th.

3. DeBerardine Zoning Hearing Board Application ZHB#2021-4 scheduled for August 26th.

The property is located at 6 Walters Lane, Pt. Pleasant, PA.

Tax Map Parcel 44-034-004-002 and zoned Residential Agriculture.

Applicant seeks relief to add a front deck to an existing, elevated, single-family dwelling in the Riparian Buffer, Wetlands and Wetland Margin, Floodplain, Delaware River Wild and Scenic and Prime Farmland Overlay Districts and to encroach 14 feet into the front yard setback.

PC Vice Chair Carl Ruthardt stated that the PC recommended the Board not oppose the variance. He noted, however, that during the PC review it was discovered that an unpermitted detached deck/platform had been installed in the backyard. He said the deck was discovered through the Bucks County GIS aerials and was not noted on the plans.

Lewis stated that the Building Code Official made a visit to the property and confirmed the deck. She said a review of the property file indicated that the Zoning Officer had previously denied the property owner's application to construct a deck and steps down to river in the backyard. Lewis said subsequently an enforcement notice had been sent to the property owner notifying them of the violation. Rosamilia said that in light of the fact the property owners were instructed by the Zoning Officer not to build the deck but did so anyway, it was necessary to bring the violation to the attention of the Zoning Hearing Board.

Motion: to authorize the Building Code Official to attend the August 26th meeting to make note of the zoning violation for informational purposes.

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

4. Doenges Zoning Hearing Board Application ZHB#2021-5 scheduled for September 9th.

The property is located at 3724 Farm School Road, Ottsville, PA.

Tax Map Parcel #44-036-021 and zoned Village Center.

Applicant seeks relief from side yard setback regulations to construct a pole barn/garage.

H. Land Development/Subdivision

1. Spinio Industrial Holding LLC Preliminary Land Development Plan continued to September 21st.

The property is located at 3632 Bedminster Road, Ottsville, PA.

Tax Map Parcel #44-011-008-003 and is zoned Planned Industrial.

Applicants request conditional use approval to permit wholesale use, business and storage and use.

Applicants requested the Conditional Use hearing for Application CU#2021-03 (previously continued to August 17th) be continued to September 21st. The PC will review the application on August 24th.

Motion: to continue the Spinio Conditional Use and Land Development Plan review from August 17th to September 21st.

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

2. KFS Properties Minor Subdivision Plan and Conditional Use Application CU#2021-05 scheduled for Sept. 7th.

The property is located at 50 East Dark Hollow Road, Pipersville, PA
Tax Map Parcel #44-026-007 in Residential Agriculture.

Applicants request conditional use approval to build a single-family dwelling in overlay districts.

I. Septic/Conditional Use

Balascio/Piper Conditional Use Application CU#20212021-04 to be held on Sept. 7th

The property is located at 201 Municipal Road, Pipersville, PA.

Tax Map Parcel #44-014-026-002 and zoned Residential Agricultural.

Applicants request alternative septic and waiver from replacement septic area.

J. Public Comment

Headquarters Road Bridge Discussion

Vladimir Salamun, Headquarters Road, asked about a pile of gravel that had been placed at the entrance of the closed Headquarters Bridge and dirt placed against the barriers. Rosamilia said it was possible PennDOT made the decision to block off motorcycle, bicycle and pedestrian traffic for safety concerns. He suggested that Salamun contact PennDOT for a definitive answer.

Tim Cashman requested that the Board repeal Ordinance 69 and pave Sheephole Road to provide better access for emergency vehicles. Helms said it should be recommended that EMS use Ridge Valley Road. Blanchard said EMS relies on GPS to determine the fastest route and it could be problematic suggesting Ridge Valley Road if it was not the fastest route in an emergency.

Rosamilia asked Harris if they could repeal the ordinance. Harris stated that the Board had the authority to repeal the ordinance, as was the case for any ordinance.

Rosamilia said the cost of paving would be upwards of \$300,000 to \$400,000 and anticipated that changes to Sheephole would likely trigger a lawsuit. Rosamilia noted that Public Works Director, Doug Skelton, was very attentive to Sheephole Road and frequently graded it. Lewis said that Skelton was working on a cost estimate for the DSA [Driving Surface Aggregate, an unbound mixture designed for use on unpaved roads that is more resistant to erosion, traffic wear and sediment loss than gravel] in case they are unable to get a grant and must budget for it in the future. Rosamilia said a grant is preferable as the DSA is expensive. Blanchard said they would continue to look into it.

Jesse Salamun, Headquarters Road, asked the Board to support a one-lane bridge rather than saying they would accept "any bridge now," which she interpreted to mean the Board was supporting PennDOT's two-lane bridge. Helms stated that a previous Board had officially voted for a two-way bridge. He said that for the past several meetings it had been requested that the Board state they will only accept a rehabbed bridge and that will compel PennDOT to immediately do so. Helms said the reality is that the Board does not have any say one way or another as the last 10 years has proven.

Rosamilia said that PennDOT had not objected to a one-lane bridge but would not rehabilitate the bridge and the Delaware RiverKeeper Network (DRN) would only accept a rehabilitation. Helms said they have tried to work a compromise but could not get the DRN to participate. Rosamilia said the Township could not afford to pay for the maintenance of a one-lane bridge and no irrevocable, private funding had come forward. Rosamilia noted that the private funding promised for the maintenance of the Geigle Hill Bridge had fallen far short. He said they cannot assume the risk on the part of the taxpayers.

Police Officer Hiring Status Discussion

Jessika Vanderlely, a Bedminster Township resident, asked for an update regarding the hiring of a fourth police officer. Blanchard stated that they are not hiring a fourth officer at this time, but they are continuing to work on it and there is an ongoing conversation with Chief Madden.

Vanderlely said she believed three officers was not sufficient and that State Police coverage would result in reduced response time. She said that the Tincum Police Foundation agreed with her. Vanderlely said with the added possibility of an officer going out on leave, there would not be enough coverage. The Board asked which officer was going out on leave. Vanderlely said she was speaking hypothetically.

Blanchard asked for clarification/confirmation regarding Vanderlely's statement that the Police Foundation had represented to her their dissatisfaction with the situation. Sue Walsh, Tincum Police Foundation Board Member, stated they had not communicated that to Vanderlely and the Foundation had not said they were dissatisfied.

Vanderlely said Chief Madden had reported 177 incident calls last month and the State Police would not come to Tincum for 177 calls. Rosamilia said the type of call must be carefully considered because every call is recorded. He noted that many calls fall into a less significant category, such as a lost dog or a simple question, as opposed to criminal activity.

Vanderlely asked if the Tincum community or the surrounding community had a say in the decision to go from four to three officers. Helms said Tincum does, but the surrounding area and a Facebook group does not. He said that Vanderlely was telling the Township how to spend tax money when she did not pay taxes here. Vanderlely said she was representing family members who lived in Tincum.

Blanchard said the process for hiring the fourth officer is based on data analysis that can substantiate the benefit the community will receive for the tax dollars spent. He said Chief Madden had analyzed the department in her new role, determined the priorities, and made a recommendation to the Board. He said the Board had asked for more information. Blanchard said once the Board has the information it needs and if it supports the expenditure for an additional officer, then the decision would be a no-brainer.

Walsh asked why a review was necessary if it was just a matter of replacing an officer. Rosamilia said first, they do not try to simply replicate what happened in the past. He said they used to have five officers and one was teaching at a college on Township time. Rosamilia said it was foolish to have someone who was not around most of the time. He said second, no decision had been made to not hire a fourth officer. Rosamilia said that they have to look at what is needed, where is it needed, what is lacking and analyze the information before they make the decision to hire. He said Chief Madden understood the process and was taking the appropriate steps.

Rosamilia asked Vanderlely, in reference to her posts, who had called her 24 hours after the Board had spoken with the Chief regarding personnel and who told her a police officer may potentially go out on leave. Vanderlely said she had many police officer friends and did not want to divulge who had told her. Rosamilia said when they have a conversation with personnel it is always confidential. He said they strive to hear the individual out and have a dialogue, but it is kept private until they come to a solution and then the Board will go public with it. Rosamilia said the Board is not required to publicly provide every detail as to how they reach a solution.

Blanchard asked Vanderlely what she thought the Police Department was unable to do without a fourth officer. Vanderlely said that they do not have enough coverage. She said the state troopers are not familiar with the community and it should be community-based, relationship-based policing. Blanchard said he agreed with that type of policing.

Shawn Queeney, Durham Road, told Chief Madden that he thought she was doing a "kick-ass job" and not to let anyone tell her otherwise.

American Rescue Plan Money Discussion

Eleanor Breslin, Cafferty Road, asked if the Township had received the first payment of the approximately \$390,000+ American Rescue Plan Funds. Lewis said the Township had received half

of the money approximately three weeks ago. Rosamilia said they had contacted the State Representative for clarification on the specific rules as to how the funds can be spent.

Breslin said that she had a copy of a legal opinion letter from We Conserve PA [a proconservation organization] to share with Solicitor Harris that might provide general ideas on how to use the funds. Harris said Breslin should send the information to the Township Manager and the Board would decide if he should look at it.

Lewis thanked Cliff Lebowitz of the Bucks County Herald for the information he had forwarded to her concerning how the funds may be used.

Executive Session

Blanchard recessed the regular meeting at 9:45 pm to discuss matters of personnel and potential litigation. Blanchard reconvened the meeting at 10:38 pm. There was no action to report.

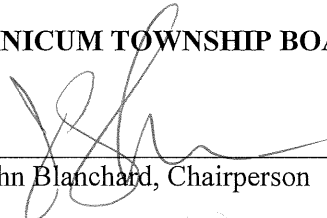
Adjournment

Motion: to adjourn the meeting at 10:39 PM.

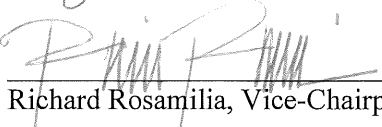
Motion by: Blanchard. Second by: Rosamilia. Voted upon and passed.

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


TINICUM TOWNSHIP BOARD OF SUPERVISORS



John Blanchard, Chairperson



Richard Rosamilia, Vice-Chairperson



Jim Helms, Member