

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 April 6, 2021

Supervisors John Blanchard, Richard Rosamilia and Jim Helms 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 25 people in attendance. Masks and social distancing were required.

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. Emergency Services

Blanchard reported that Chief Armitage had provided his monthly report to the Board for March.

B. Old Business

Headquarters Bridge Project Status Update

Blanchard said PennDOT had received the approval letter from the National Park Service (NPS) to proceed with the Headquarters Bridge. He said the Delaware RiverKeeper Network (DRN) intends to sue the Dept. of the Interior. Steve Gidumal, Headquarters Rd property owner, stated that he was also considering suing the Dept. of the Interior.

PennDOT Website Draft Publication Revision Response

Overview: At the March, 16, 2021 meeting, resident Kathryn Auerbach, Center Rd, inquired as to the status of revisions she had submitted to PennDOT's web publication draft document commemorating the Ridge Valley Historic District.

In response to Auerbach's request, Blanchard said the Board had contacted PennDOT who stated that once they have prepared their responses, they will send an email to the consulting parties. Lewis said PennDOT was in the process of reviewing each comment for both relevancy and accuracy. Helms explained that the draft document had never gone live on the PennDOT website and had only been made available to consulting parties for comment. Auerbach stated she had party status.

Headquarters Bridge Replacement Resolution

Blanchard read draft resolution 031621.01 by the Board of Supervisors intended to expedite the prompt replacement of the Headquarters Bridge. The resolution covered the following points:

- The Headquarters Road spanning the Tinicum Creek has been closed for 11 years as the result of disputes brought by the Delaware Riverkeeper Network (DRN) and others;
- Current and previous Board of Supervisors have tried to work with all parties to resolve the life and safety issues raised by the closure;
- The closure causes emergency and fire response to be delayed, thus raising significant health and safety issues for the residents of Tinicum Township who are unable to cross the state-owned bridge on a state-owned road and must detour onto rural winding roads, some of which are dirt and gravel;

- A Federal Court found that PennDOT had addressed the issues raised by the DRN and the National Park Service (NPS) approval of the permit was the last item necessary for the issuance of the permit.
- The NPS Letter of Approval was completed and due on February 26, 2021, however the Township had been informed that the Washington D.C. office would not release the letter, even though all requirements for approval had been met. No explanation for the delay was provided.
- It is essential that the NPS letter be released and the PennDOT permit for the bridge be promptly issued to enable the bridge to be replaced this summer.
- While the historic and natural resources in the Township are important and deserve respect, they do not rise above the health, safety and welfare of the residents resulting from the extended closure of the bridge and the Board condemns any person, agency, or entity that knowingly funds, promotes or engages in actions that continue to delay the issuance of a permit for the replacement of the bridge.

Gidumal said if the Board was condemning him in a legal way, he would sue each of the Board members. Gidumal said that no one had reached out to him regarding his request at the last meeting for a meeting with the Supervisors. Rosamilia said he had texted Gidumal and Gidumal had texted back his intentions to arrange a meeting with the historical, environmental, anti-bridge, and two-lane bridge groups, as well as Rosamilia, to work out a strategic plan to bring to PennDOT. He said that Gidumal had agreed to set up the meeting and that he would get back to Rosamilia. Gidumal said that was accurate and admitted he had texted with Rosamilia, but said he needed more time to arrange the meeting.

Blanchard asked Gidumal how long it would take him to set up the meeting. Gidumal said he would need less than two weeks. Blanchard said they would table the Resolution until the next meeting.

C. Public Comment

Resident Response to Accident Allegations Concerning the Headquarters Bridge

Anita Nolan, McCann Lane, said she wanted to respond to the statements made at the last meeting that there had been many accidents in the Township and trucks were a particular danger. She said she looked at the [Board of Supervisor] meeting minutes police reports over the last 2 years. Nolan noted that not every month had a police accident report and some were not specific, but during that time period there had only been a total of five truck accidents as follows:

- One accident on Route 113: a landscaping truck caught an edge of a ditch and rolled over,
- One accident on Geigel Hill Road: a truck rolled over: and
- Three accidents on Golden Pheasant Bridge, which is a one-lane bridge with two stop signs.

Nolan noted there had been series of crashes on the Geigel Hill Bridge, a one-lane bridge with two stop signs owned by the Township but located on a state-owned road. She said there has been a fair amount of money spent to repair that one-lane bridge. Lewis said the cost of the repairs had been approximately \$15,000 [since the Township took ownership of the bridge in 2010.]

Nolan stated that the two-lane bridges located on Headquarters and Dark Hollow Roads had reported no accidents during that same time period. She said the statistics showed that the two-lane bridges with no stops were safer than the one-lane bridges with two stops. Nolan said she did not care if it was a one lane or two-lane bridge, she just wanted a bridge.

Vladimir Salamun said he disagreed with Nolan and he was aware of other accidents at the stop sign at Tettermer and Headquarters. Pucci said that for the last 26 years there had been no accidents on the Headquarters Bridge at Sheephole and fire trucks had been able to get through safely. Salamun said that the one-lane bridge at Headquarters originally had a 17-foot width and compared it to the Frenchtown Bridge's 16 ½-foot width. He said that the one-lane/two-lane was a moot point. He said narrowing the Headquarters Bridge with Jersey barriers had caused larger vehicles to hit it and had contributed to the deterioration of bridge. Rosamilia said he agreed with Salamun about the width comparison. He stated that the Board did not care if the bridge was rehabbed, a one-lane or two-lane, the Board just wanted a bridge.

Discussion Regarding the Delaware RiverKeeper Network Involvement

Salamun said the DRN had done good things for the Township such as helping to ban fracking along the Delaware River and should not be vilified. He said they had gotten exceptional value status for their streams. Deanna Matczak, Quail Lane said that trucks and cars drive through the same stream farther down but the DRN did not take issue with that.

Tim Cashman, Quail Lane, said no one ever wanted a bridge problem and they would have a single-lane bridge if the people who wanted it paid for it. He said that he was not against a single-lane bridge, but he was against paying for it. Cashman said PennDOT was not in the restoration business. He said he had written to the Federal judge [who oversaw the case between PennDOT and the DRN] and asked how the DRN could circumvent the court. He said the judge immediately responded that the case was closed. Cashman said that they must bring the DRN to the table first. He said the meeting with Gidumal would not matter until they do it the way DRN wants it done.

Gary Woertz, Quail Lane, asked if anyone remembered when the DRN hired a hydrologist to purposely divert the creek water away from the bridge to prevent further damage to the bridge. He said now the DRN is concerned about how the water might be diverted if a two-lane bridge is installed. Woertz said regarding environmental concerns, the DRN does not care about vehicles driving through the same creek a mile downstream. He said residents who live in the area care about the environment, but 10 years was too long. Woertz said litigation would not help and the DRN is putting his family at risk. He said he does not begrudge the others for wanting a one-lane, historic looking bridge, but they need a bridge to get emergency vehicles through.

Proposed Plan for a One-Lane Bridge on Headquarters

Gidumal said that he was not affiliated with the DRN although he had contacted them. He said he was putting all his effort into a one-lane bridge and was working on a plan for reconstruction of the existing piers. Gidumal said he was trying to raise a million dollars privately to repair/reconstruct the core with the original, decorative stone on the outside of the piers. He said that PennDOT should pay for the deck.

Rosamilia said that if PennDOT agrees to build the deck but will not take ownership it will be the Board's responsibility to determine how to fund bridge maintenance and repairs for the next 60 to 75 years. Gidumal said the Township could own it for 20 years with \$200,000 maintenance funding and then flip it back to PennDOT. Rosamilia said if Gidumal's plan could get the bridge built more quickly than going through numerous lawsuits, they should work on it as soon as possible.

Discussion of Draft Resolution

Gidumal requested the Board enact a Resolution stating they will only accept a one-lane bridge. Rosamilia said because PennDOT said a one-lane bridge was off the table, the Board could not say they will only accept a one-lane bridge, however if Gidumal's plan was something they could discuss with PennDOT, then Board would reconsider.

Gidumal said everyone should only vote for Supervisors who will support a one-lane bridge and that would enable PennDOT to move forward more quickly. Helms said the Township was being held up by two entities that were out of their control. He said when the previous Board voted for a two-lane bridge, the project was at a juncture where they thought construction was imminent and voted for a two-lane bridge the Township did not have to own. Helms said he thought Gidumal was trying to get the Board in a position that they would not allow PennDOT to move forward unless it is a one-lane bridge. Gidumal said that was true. Helms said the Board going on record that they will only accept the one thing PennDOT said was not an option, could hold them up for another 10 years.

Helms said that a Resolution is a statement, not a legal document. He asked Township Solicitor Steve Harris to provide the definition of a Resolution. Harris said that a Resolution is a statement and has no legal ramification. Helms said that any past or future resolution it is simply a statement or opinion

from the Board at that moment. Gidumal said that the Board should make the statement that they would only accept a one-lane bridge. Helms said he did not believe that was the opinion of the Board at this point. Helms said they were not going to make such a Resolution without some type of path forward and needed to see something of substance from Gidumal in the next two weeks.

Cost of Maintenance for Township-Owned Bridge Discussion

Salamun said that the Township has owned the one-lane Geigel Hill Bridge for 10 years and the maintenance has only been \$15,000. He said that the Tincum Road Crew provided much better maintenance than PennDOT and the Township was better off owning and maintaining their bridges. Helms said no matter how well the bridge is maintained, after 20 years the concrete will deteriorate due to salt and ice, the deck will need to be replaced, and the cost will go from \$20,000 to \$220,000.

Boyce Budd, Upper Tincum Church, said he had been a Supervisor on the Board during the Geigel Hill Bridge replacement and wanted to make the following two points:

- 1) PennDOT built the one-lane Geigel Hill Bridge at their expense and the Township was highly involved in terms of design. Budd said presumably the same thing would apply with the Headquarters Bridge and the bridge design.
- 2) It was PennDOT's rational was to pay for a new, one-lane bridge, but the Township had to take ownership if it was one-lane instead of two.

Rosamilia said that when Budd was on the Board that voted on the Headquarters Bridge, they voted two to one to have a two-lane bridge, instead of a one lane because the Township would have to take ownership of another bridge. He said that Board did not want to take ownership because there were no funds to maintain it. Rosamilia said that at that time the DRN did not want a one-lane bridge and said they would only accept rehabilitation of the existing bridge. He said that PennDOT refused to do the rehab.

Budd said that was correct, PennDOT said they would not put a new deck on two rotten piers. Rosamilia said while there are two sides of engineers that will battle to the death over this point, ultimately PennDOT holds the money, it is a PennDOT bridge on a PennDOT road, and they took the one-lane bridge off the table. Rosamilia said the project is now so far down the road that when he asked PennDOT if they would reconsider a one-lane if the Township could find the money to maintain it, PennDOT said that might be possible but it would take another five years.

Tara Sanders, McCann Drive, said she was in support of the Board not cowing to any bullying tactics asking to them to declare their support for a one-lane bridge. She said that PennDOT is the fastest way to get a bridge and PennDOT is a month or two away from getting bids. She asked the Board to support those efforts and not support those efforts that would only result in never getting a bridge.

D. Regular Business

1) Minutes

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

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

2) Payroll Reports

Motion: to accept the Payroll Reports for pay period ending March 26, 2021 in the amount of \$28,318.92.

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

3) Disbursements:

Motion: to approve the following disbursements.

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

General Fund	Amount	Memo
Staples Credit	\$364.72	Office Supplies
Ready Refresh	\$55.85	Bottled Water
Keystone Municipal Services	\$4,372.00	Building and Zoning Services
Wehrung's	\$321.03	Building and PWD Supplies
Verizon Wireless	\$215.15	Police Wireless
Hutchinson, Gillahan and Freeh	\$6,100.00	2020 Audit and DCED Report
Service Electric Telephone	\$384.82	Telephone Service
VISA	\$1,036.09	Police IT and mtg room clock
DelGuerico's Disposal	\$155.00	Trash Removal
Ricoh Americas Corp	\$227.17	Copier/Printer lease
Hartford Insurance	\$292.52	Life Insurance
State Fund		
Suburban Propane	\$1,283.22	Diesel Fuel
Interstate Batteries of Doylestown	\$118.95	F550 battery
Allan Myers	\$543.79	Stone
NYCO Corp	\$39.72	Hydraulic Fittings
PPC Lubricants	\$25.50	Lithium grease
Vanderlely's Truck Service	\$17.56	Fleet Parts
H & K Materials	\$281.12	Asphalt Patch
Plumstead Materials	\$2,711.80	Stone
Open Space Fund		
Del Val Regional Finance Assoc	\$11,916.03	Open Space Bond
State Fund		
Morton Salt, Inc.	\$1,202.33	5402272936 - Road Salt
NYCO Corp	\$553.96	NYCO Corp
PPC Lubricants	\$554.30	1885349 Fleet Repair Supplies
U.S. Municipal Supply Inc.	\$3,589.70	Snowplow and Truck Repair
Triad Truck Equipment	\$730.00	Cutting Edge and Plow Cyl

E. Announcements

Blanchard announced that the annual audit of the 2020 books has been completed and provided to the Board. Lewis said the advertised, concise financial statement is available for review on the website.

F. Zoning

Zoning Hearing Application 2021-01 Jesse Heacock, 4 Park Road, Ottsville TMP# 44-001-018-003

The Applicant seeks variance relief from the Zoning Ordinance in order to allow a 400 square foot expansion in of an existing garage that is located within the front yard setback. The addition would increase the impervious surface percentage to 7.4 percent. The Board decided not to send the application to the Planning Commission.

G. Subdivision/ Land Development

Announcement: The Land Development Preliminary Plan of Spinieo was scheduled to be before the Board at the public meeting of April 6, but has been continued to allow for necessary Conditional Use review.

H. Public Works

Blanchard announced the Public Works annual seal coat bid package has been advertised and will be awarded at the May 4th Board of Supervisor meeting.

I. Executive Session

Blanchard recessed the regular meeting at 8:35 pm to discuss matters of land acquisition and potential litigation. Blanchard reconvened the meeting at 10:10 pm. There was no action to report.

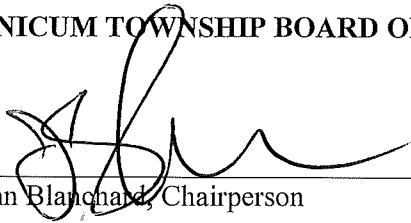
J. Adjournment

Motion: to adjourn the meeting at 9:56 pm.

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

The next meeting of the Board of Supervisors is scheduled for April 20, 2021 at 7:30 PM.

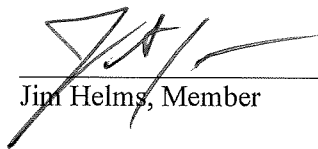
TINICUM TOWNSHIP BOARD OF SUPERVISORS



John Blanchard, Chairperson



Richard Rosamilia, Vice-Chairperson



Jim Helms, Member