

Incorporated March 12, 1738

# TINICUM TOWNSHIP

*Bucks County*

## BOARD OF SUPERVISORS

163 Municipal Road  
Pipersville, Pennsylvania 18947

RICHARD ROSAMILIA, CHAIRPERSON  
JIM HELMS, VICE-CHAIRPERSON  
ELEANOR BRESLIN, SUPERVISOR

### **Tinicum Township Board of Supervisors Meeting Minutes July 19, 2022**

Supervisors Eleanor Breslin, Jim Helms and Richard Rosamilia were present with Township Manager Teri Lewis and Township Solicitor Steve Harris. The meeting was held in the Tinicum Township building meeting room. There were approximately 18 people in attendance.

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

Richard Balukas, River Road, announced he would be recording the meeting.

#### Livestream Board Meeting Status

Rosamilia requested an update on the status of the livestream equipment. Lewis provided the following update:

- G2 Computers, LLC said the equipment the Township had ordered is manufactured in China and currently there are supply chain issues.
- G2 had borrowed a demo unit and come to the Township to test it. He had hoped to be able to keep the demo unit until the ordered equipment arrived, but was unable to.
- G2 could not provide a delivery date for the equipment at this time.

#### **A. Police Report**

Chief Madden, Tinicum Township Police Dept., presented the following report for June 2022:

- 164 Incident Reports: 75 service-related, 26 crime/investigative (including 1 criminal mischief report, 1 fraud report, 1 DUI arrest, 1 reckless endangerment charge, 2 drug arrest charges, and 1 arrest for a weapons offense), 53 traffic, 8 training and 2 court appearances.
- No reportable traffic accidents in June.

#### **B. Announcements**

##### New Officer David Fleishman

Rosamilia announced that Officer David Fleishman has joined the Police Department. Chief Madden stated that Officer Fleishman has over 8 years of law enforcement experience.

#### **C. Old Business**

##### Sherman Road Speed Limit

Chief Madden stated she had just received the PennDOT Local Technical Assistance Program (LTAP) engineer's memo and reviewed the following:

- The LTAP engineer conducted an Intersection Sight Distance Study at Lear Drive and a Stopping Distance Sight Study at several points on Sherman Road.
- LTAP reviewed the data in evaluating section PA Code 212.108 as requested by Luke Sorensen, Sherman Road, which allows the speed limit to be reduced up to 10 mph if one or more conditions are satisfied.

- LTAP concluded that there are no intersection sight distance issues, limited stop sight distance issues and no crash data.
- Based on the study results, the LTAP engineer concluded that the criteria for establishing a 25-mph speed limit were not satisfied. The study concluded that while a 35-mph speed limit was reasonable, but the speed could be posted at 30-mph because it was within 5 mph of the 85<sup>th</sup> percentile.

Helms read out loud specific details of the study. Sorensen stated that his measurements showed obvious sight line issues. Rosamilia asked Sorensen if he wanted to refute the findings. He said the Board was prepared to reduce the speed limit to 30-mph that evening. Sorensen said that lowering the speed from 30 to 25-mph would greatly reduce impact injuries and noted that many people had signed a petition to lower the speed limit to 25-mph. Helms said he understood, but to enforce the speed limit the Township must follow what is set forth in the state of Pennsylvania and based on the study they would not be able to enforce a 25-mph speed limit.

Helms said as they just received the LTAP report, he suggested Sorensen take a copy and review it. Sorensen said he was an engineer and conducted measurement studies for his job. He said he wanted to dispute the measurement methodology of the LTAP study. Harris said that if Sorensen did not want the Board to adopt the 30-mph speed limit that evening and wished to challenge the study, he could provide a written response along with his qualifications and the Board would submit it to LTAP. Sorensen agreed.

#### **D. New Business**

##### Zoning Hearing Board Appointments

Breslin said that the Board had made Zoning Hearing Board appointments at the last meeting, however, they were not clearly indicated on the agenda, which made the intended action invalid. She said it was explicitly on the agenda that evening. Breslin said that after thinking about the process the Board had followed in deciding who might be appointed on both the regular Zoning Hearing Board and the alternate seat, should that become available, she thought there was room for improvement. Breslin recommended that they post the Zoning Hearing Board opening on the website and invite applications. She said it may turn out that Tom Casola might be the most qualified person and if he was appointed at the next meeting that would open up the alternate seat and they could do the same thing at that time.

Helms said the process in the past has been to see who expressed interest and that Casola had previously indicated his interest twice before when an opening became available. Rosamilia said he was amenable to posting the position, but thought the applicant should have some experience with the Township Ordinances, which would limit the field. Helms said that historically the appointments have been former Planning Commission members because of their experience. Rosamilia said they could post for both positions. Helms agreed they could post for both and accept applications up until August 5 to allow the Board time to interview the applicants prior to the next meeting. Harris recommended that the motion on the table be withdrawn. Helms withdrew the motion. Bruce Wallace, Sheephole Road, said they used to have two alternates. Helms said they would get resumes and decide at the next meeting.

**Motion to appoint Tom Casola as a regular member on the Zoning Hearing Board to fill the former term of M.J. Frumin (expires 12/31/23) and Joy von Glueck as alternate on the Zoning Hearing Board to fill the former term of Tom Casola (expires 12/31/24).**

Motion by: Helms. Second by: Rosamilia. Motion withdrawn by Helms.

**Motion to post on the Township website for open position for a Zoning Hearing Board member and potential alternate. Applications to be submitted by August 5, 2022.**

Motion by: Helms. Second by: Breslin. Voted upon and approved.

Communications Ad Hoc Committee Appointments

**Motion to appoint Kris Becker to the Communications Ad Hoc Committee.**

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

**Motion to appoint Patty Leonhardt to the Communications Ad Hoc Committee.**

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

Pennsylvania Land Trust Association Qualification Form for Possible Grant Application

Breslin said she had just received a submission from Environmental Advisory Ad Hoc Committee (EAC) seeking to fund signage at the Tincum Community Park. She said Kim Rosamilia came across a conservation easement assistance program that can award grants to install signs on easements. She said there was question if this was the right source for funding depending on what the EAC intended to be on the sign. Breslin requested that the EAC identify what they wanted on the signs and to check with the Association to see if the language they were proposing would be acceptable. Rosamilia agreed that more information was needed from the EAC regarding the type of signs and the wording, as well as clarification regarding the Park and Rec Board input and then they could review it at the next meeting.

Sorensen, EAC member, said in late April the PA House passed the Pennsylvania Highlands Conservation Act and it was currently pending before the Senate. He said there would be grant money through the Highlands Conservation Act and they should look into things they might be able to apply grants for projects such as the signs and other potentially improving rural road beds, for example Roaring Rock Road, establishing trails, etc. Kim Rosamilia, EAC member, said it would be worth investigating the PA Land Trust Assoc. grant because as long as the sign acknowledges the municipal open space bond fund, they may be able to add on to that sign that it is special meadow or other information.

Rosamilia said the EAC will look into the grant further and provide more information on the signage. He asked Sorensen to provide more information about the Pennsylvania Highlands Act grant opportunities to Board and it would be forwarded to the EAC.

**Motion to authorize Township Manager, Lewis, to fill out the Pennsylvania Land Trust Association Grant Qualification Form, pending information from the Environmental Advisory Committee.**

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

**Motion to amend the agenda to add assigning a task to the Environmental Advisory Ad Hoc Committee.**

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

**Motion to direct the Environmental Advisory Ad Hoc Committee to investigate the Pennsylvania Land Trust Association grant and provide more information regarding the Tincum Community Park meadow signage.**

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

**E. Regular Business**

Minutes

**Motion to approve the minutes of the June 21, 2022 meeting as written.**

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

Budget Recap and Treasurer's Report

The Budget Recap and Treasurer's Reports for June 2022 was posted on the bulletin board.

Payroll Reports

**Motion to accept the Payroll Report for the period ending June 17, 2022 in the amount of \$33,975.69 and July 1, 2021 in the amount of \$29,752.53.**

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

Disbursements

**Motion to approve the following disbursements as written.**

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

<b>General Fund</b>	<b>Amount</b>	<b>Memo</b>
Block Communications	\$100.00	Police Radio Repair
Harris and Harris	\$5,233.30	Legal Services May
NAPA of Ottsville	\$111.48	Police fleet parts
Help Now	\$75.00	Help Now
Grim, Biehn and Thatcher	\$686.46	Legal Services
Ricoh Americas Corp	\$147.18	Copier, Scanner Lease
ReadyRefresh	\$129.66	Bottled Water
Holicong Locksmiths	\$245.10	Alarm Monitoring
DelGuerico's Disposal Service	\$155.00	Trash and Recycle Removal May
Leaf	\$146.62	Police Copier
Service Electric Cable TV	\$388.26	Telephone Service
Wynn Associates Inc.	\$2,366.00	Replacement Check for 27526 (voided)
Aflac Business Services	\$145.64	February Supplement Insurance withheld
United Healthcare Insurance Company	\$9,368.80	2022 Employee Health Insurance
Gasparre, Cynthia	\$1,046.61	reimbursement - Rain barrel workshop expenses
Del Val Workers Compensation Trust	\$4,889.75	Workers Comp WCPREM22-TINIC3
Delaware Valley Insurance Trust	\$10,682.75	Qtr. 3 Commercial Insurance
Wynn Associates Inc.	\$2,978.33	June Engineering
DelGuerico's Disposal Service	\$155.00	Trash and Recycle Removal June
Verizon Wireless	\$207.45	Police Wireless
VISA	\$38.98	Meeting room clock replacement
The Emblem Authority	\$277.00	Police Uniform Supplies
Hartford Insurance	\$459.53	Life and STD Insurance combined
Keystone Municipal Engineering	\$5,150.00	Zoning and Bldg. 5-31 through 6-9
Allied Administrators	\$696.16	Employee Dental Insurance (June)
Breslin, Eleanor	\$231.44	Reimbursement - Rain barrel workshop expenses
Murphy, Riley	\$56.52	Reimbursement - Rain barrel workshop expenses
Hall, Sasha	\$121.37	Reimbursement - Rain barrel workshop expenses
Met-Ed	\$15.59	Electricity - Park
PMRS	\$5,575.09	Pension qtr. 2 2022
PMRS	\$1,967.83	Pension qtr. 2 2022 uniform
Grim, Biehn and Thatcher	\$765.00	Zoning Hearing Services
Staples Credit Plan	\$100.74	Police Supplies
Earth Link	\$41.95	July and Aug Webhosting
Allied Administrators for Delta Dental	\$696.16	Employee Dental Insurance (July)
ReadyRefresh	\$148.29	Bottled water - all depts
Courier Times, Inc.	\$658.86	Advertising-Public Notices
PennTeleData	\$383.64	Internet Modems
Met-Ed	\$159.95	Electricity - PWD Garage
Met-Ed	\$446.88	Electricity - Police and Admin
Davidheiser's	\$83.00	Calibration services
Uniform Gear	\$801.32	Police Uniform supplies
Help Now	\$75.00	Police IT support
Gall's	\$157.16	Police Uniform supplies
Met-Ed	\$32.00	Electricity - Traffic Light
Leaf	\$14.10	Police Copier
Keystone Municipal Services	\$3,704.00	Bldg. and Zoning services
Merry Maids	\$230.00	Janitorial Services
PMRS	\$20.00	Admin fee new hire

<b>Payroll Fund</b>	<b>Amount</b>	<b>Memo</b>
Account Edge Payroll	\$33,318.80	Pay period ending 6-17-22
Account Edge Payroll	\$29,268.34	Pay period ending 7-1-22
<b>State Fund</b>	<b>Amount</b>	<b>Memo</b>
H & K Materials	\$3,807.51	Asphalt Patch
Plasterer Equipment Co,	\$289.52	Filters PWD fleet
Stengel Bros. Inc	\$1,702.13	Rear springs/shocks - International
Suburban Propane	\$4,041.36	Diesel Fuel
Vanderlely's Truck Sales & Serv	\$326.71	Fleet parts
Montage Enterprises	\$337.38	Flail blade
<b>Escrow Fund</b>	<b>Amount</b>	<b>Memo</b>
M2 Associates	\$3,100	Professional Services Spinio LD
<b>Open Space Fund</b>	<b>Amount</b>	<b>Memo</b>
Del Val Regional Finance Assoc	\$11,073.68	Open Space Bond payment

Resolution: TD Bank Signature Authorization

**Motion to authorize Supervisor Eleanor Breslin to sign TD Bank Open Space Project Bond Fund settlements.**

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

**F. Zoning**

ZHB Appeal 2022-2: Davidson, 72 Walters Lane, TMP 44-033-013-005

Variance relief requested from side yard setbacks, floodplain overlay, and riparian buffer, as well as sewage disposal area in the riparian corridor.

- Tincum Township Planning Commission reviewed on May 24, 2022.
- Board of Supervisors reviewed on June 21, 2022.
- Zoning Hearing Board scheduled for July 14, 2022.
- Extension granted to continue the Hearing to September 22, 2022.

Rosamilia said Harris had recently received information indicating the septic systems and wells on the neighboring properties, which had been requested at the last meeting. Rosamilia noted that the adjoining lot to the north of Davidson's lot is vacant with no house. He said but the lot to the south showed a well and septic, but no house on it. He asked if there was a house or trailer on that lot. Harris said now that the hearing has been continued to September 22, he has the opportunity to investigate if there are houses on the adjoining lots. He said he would also find out if the acceptability of the standpipe/casing being higher than the flood plain, but would need to check the new ground water ordinance to determine if wells in the flood plain are prohibited. Harris said he would have that information at the August 16 meeting.

Breslin said there are 5 lots, side by side, and each is 75 feet wide, which meant the well/septic circles all overlap onto the other lots. She noted whatever is decided on Davidson, it would affect the vacant lot to the north. She asked Harris if a plan could be envisioned that would apply to all of the lots or could it only be dealt with one lot at a time. Harris said the 100-foot isolation distance is a Dept. of Health (DOH) requirement, not a Township requirement. He said that was why the DOH had required a UV light treatment system on the well as a condition of granting the replacement septic system. Harris said they are all nonconforming lots, which creates a problem. He said the Township cannot prohibit the property owners from building due to the overlap of well isolation distances. Helms said the northern lot will run in to the same issue.

Breslin asked if permissible in this situation to examine the 5 lots and figure out what could be in place so they are not interfering with the neighboring uses. Harris said he did not think that was possible, because they are non-conforming. Carl Ruthardt, PC member, said that if the wells were moved closer to the river and the septic systems could be located next to each other on each lot. Harris said that he would investigate if the well could be placed in the floodplain if the casing is above the 100-year flood plain.

## **G. Subdivision and Land Development**

### Minor Subdivision: Three Horse, LLC

38 Center Road, Erwinna, TMP(s) 44-014-076-002 & 44- 015-001

The property contains two existing dwellings with separate access driveways to Center Road. The application proposes to split the property to place each dwelling on a deeded lot. No proposed construction or expansion of dwellings is proposed.

- Township Planning Commission reviewed on February 22, 2022.
- Bucks County Planning Commission review received on March 17, 2022.
- Extension of time was requested by applicant in order to find an alternative septic area for lot #2 due to intrusion into overlay.
- Urwiler and Walter, Inc. Plan of November 15, 2021; Revised May 18, 2022 was submitted in accordance with the guidelines of the Township Engineer and the Township Planning Commission.
- Revised plan was reviewed by the Township Engineer and Township Planning Commission.
- Board of Supervisors Review scheduled for July 19, 2022.

Scott Camburn of Urwiler & Walter, Inc. was present at the meeting. He provided an overview of the change to the septic location to the Board based on Wynn Assoc. memo review. Camburn said the applicants will deed restrict the properties from further development. He requested a waiver from the Subdivision Ordinances regarding road widening and improvements along Center Road, as there is no development to the property.

**Motion to approve the Minor Subdivision of Three Horse, LLC, 38 Center Road, TMP(s) 44-014-076-002 & 44-015-001 subject to the conditions outlines in the Township Engineer memo, dated June 2, 2022, and grant a waiver from Tinicum Township Subdivision Ordinance sections 519, 507B, 604, 609, and 608 requiring street/sidewalk improvements on Center Road.**

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

### Minor Subdivision: Mojjis/Trifiro

26 Cafferty Road, Pt. Pleasant, TMP(s) 44-030-008-002; 44-30-008; 44-030-008-003

Final step of a multiple-step process to dissolve the Centennial Barn Condominium. The application proposes to create 2 separate, non-conforming lots (TMPs 44-030-008-002 & 44-030-008-003).

- Revised plan (revision date June 24, 2022) received June 28, 2022.
- Township Planning Commission review scheduled for July 26, 2022.
- Board of Supervisors review scheduled for September 9, 2022.

## **H. Miscellaneous**

### Construction Escrow Waiver for Reiss

155 Geigel Hill Road, Upper Black Eddy TMP(s) 44-015-051& 44-015-037

Harris said he had received a request from Jonathan Reiss, regarding the sale of his house in Tinicum, which included \$37,500 escrow with the title company pending approval and construction of a new, replacement septic. Harris stated that the Township Ordinance requires a construction escrow of \$5,000 for the replacement system and Reiss was requesting that Board waive the \$5,000 since they have already posted the \$37,500 escrow. Harris confirmed that Reiss would still need to sign an Operation and Maintenance agreement and provide the Maintenance Escrow fee.

**Motion to amend the agenda to address the waiver request from Jonathan Reiss.**

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

**Motion to waive the \$5,000 Construction Escrow for a new, replacement septic system for Reiss, 155 Geigel Hill Road, TMP 44-015-051.**

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

Court Decision Overturning Zoning Hearing Board Decision 2021-6 Watson  
Tammany Road, Upper Black Eddy, TMP 44-006-017

Harris said that he had sent the Board the judge's ruling which overturned the Zoning Hearing Board decision to deny the variance to construct a rain garden in the wetland margin overlay. He said the Board has 30 days to file an appeal. Harris said he did not advise appealing the decision and the Board did not have a position when it went to the Zoning Hearing Board. Breslin asked if that would entitle the plaintiffs to build a 4-bedroom house. Harris said yes. The Board took no action.

**I. Public Comment**

Richard Balukas, River Road, read a letter from Cindi Gasparre, River Road, requesting that the Board find an alternate to livestream the Board of Supervisor meeting until the livestream equipment becomes available.

John Cole, PC Member, said that during the Tretton Farmstead proceedings, it was discussed that the parking ordinance states that one car is defined as four people per car coming to an event. He said that definition was unrealistic and recommended that the parking ordinance should be reevaluated by the Planning Commission.

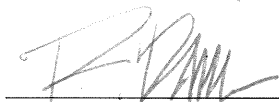
**J. Adjournment**

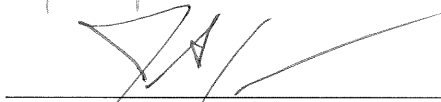
**Motion to adjourn the meeting at 10:35 PM.**


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

*The next meeting of the Board of Supervisors is scheduled for August 16, 2022 at 7:30 PM.*

**TINICUM TOWNSHIP BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Richard Rosamilia, Chairperson

  
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Jim Helms, Vice-Chairperson

  
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Eleanor Breslin, Member