

*Incorporated March 12, 1738*

# TINICUM TOWNSHIP

*Bucks County*

## BOARD OF SUPERVISORS

163 Municipal Road  
Pipersville, Pennsylvania 18947

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

**Tinicum Township Board of Supervisors  
Meeting Minutes  
January 17, 2023**

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. The meeting was live-streamed on Zoom and recorded. There were approximately 12 people present at the meeting and 11 viewed online.

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. Old Business**

Headquarters Bridge Update

Helms said the Township is continuing to research temporary bridge companies and will provide future updates as they become available. Resident Anita Nolan asked about the core borings. Helms said, based on the bridge design requirements the bridge supports would likely be in a different position and new core borings would need to be done.

Vacancy Board Appointment

**Motion: to appoint Carl Ruthardt as Vacancy Board Chair.**

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

**B. New Business**

Coalition Against Bigger Trucks (CABT)

Breslin stated that the regional director for CABT had contacted the Board to request that the Board sign a petition to formally oppose the Federal Dept. of Transportation's expansion of regulations regarding an increase in the length of double trailers and the weight of single trailers. She said there is legislation under consideration that would allow double trailers to be 17 feet longer and single trailer trucks to be 11,000 pounds heavier on the national road network. She said that this legislation would also allow these trucks to use local and state roads, such as 611, to access the national roads. Breslin said that the petition would be sent to Congressman Brian Fitzpatrick who sits on the transportation committee that would review the legislation.

**Motion: to sign the Coalition Against Bigger Trucks petition letter that will be sent to Congressman Brian Fitzpatrick.**

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

Environmental Advisory Ad Hoc Committee (EAC) Presentation: "Integrate for Good Program"

Cindi Gasparre, representing the EAC, said that an organization called "Integrate for Good" collects plastic bags and weaves them into mats for the homeless. Gasparre said that the EAC would like to set up a small, temporary container/barrel to collect plastic grocery bags as well as asking the public to bring plastic bags to the upcoming Earth Day event to be given to the organization.

Resident Kelly Kendall said she was concerned that plastic bags will blow out of the barrel if it is located outside. Resident Tim Cashman noted that plastic bags can also be recycled at the local grocery stores.

**Motion: to authorize a temporary plastic bag collection container at the Township and to ask the Fire Companies if collection containers can be placed at the Del Val and Ottsville firehouses.**

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

Environmental Advisory Ad Hoc Committee (EAC) Request for Earth Day Event

Resident Cindi Gasparre, representing the EAC, requested approval for an Earth Day Festival at the Tinicum Community Park on Earth Day, Saturday, April 22, rain date on Sunday, April 23 from 10 AM to 2 PM. She said that the EAC is working with the Parks and Recreation Board on the event.

Gasparre said the EAC is proposing to invite vendors and businesses that promote environmental causes and there would be activities for both adults and children. She said the event would be funded by donations, but said they may need help from the fire police to help with traffic control.

Helms asked Lewis to check on the insurance company regarding the event. Lewis suggested that Gasparre contact Cooper Mechanical to see if they would allow event parking in their parking lot.

Resident and EAC member Kim Rosamilia stated the following concerns:

- The committee held meetings that were not publicly announced, the public did not have the opportunity to participate, and it went against the Sunshine Act.
- Political organizations/lobbying groups, such as the proposed Conservation Voters of PA suggested by Breslin, should not be invited to the Earth Day Event because it is a community fair not a political fundraiser.

Breslin responded that Gasparre had sent out invitations to all the meetings and that no final decisions were made. She said she suggested Conservation Voters of PA as an environmental organization, but it was not a mandate and it was up to the EAC to decide who would be invited.

Resident Anita Nolan said that it should be clear as to who makes the decision regarding which vendors are invited to an event. She said she attended the Rain Barrel Event and found it inappropriate that a group called "Penn First" was circulating a petition for signatures at a community event. Breslin said that the organization "Penn Future" that attended the Rain Barrel Event was a nonpartisan 501c3 group.

Helms asked the Board how they wanted an ad hoc committee to bring project ideas to the Board for approval. Rosamilia said the Board should draft an ordinance for the EAC to become a standing committee with specified duties, rather than continue as an ad hoc committee. He said the process for projects would require more consideration, but that concepts should be discussed at a public meeting with the Board in advance.

There was a discussion concerning ad hoc committee subcommittee meetings with regards to the Sunshine Act (Open Meetings Law) requirements. Harris stated that it has been the policy of the Township to have subcommittee meetings made public, but that a subcommittee of an ad hoc committee is not subject to the Sunshine Act because it is not a standing committee.

Helms said that they cannot restrict an organization from attending an event being held at a public place, but they don't have to invite them. Helms asked Harris for clarification regarding a Township sponsored event vendor invitation list. Harris said the Board has the ultimate authority to approve a vendor/guest invitation list prior to the event.

**Motion: to authorize the Environmental Advisory Ad Hoc Committee to hold an Earth Day Festival on Saturday, April 22 (Rain date: April 23) from 10 AM to 2 PM at the Tinicum Community Park with the caveat that the vendor list be presented to the Board for approval prior to the event.**

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

#### Public Works Formal Bid Award for Replacement Truck

Lewis stated that the bid was advertised twice and the Township received one bid from Gator Truck for the purchase of a replacement dump truck.

**Motion: to approve the Gator Truck Bid Award for the Public Works replacement dump truck for \$39,995.00 and to authorize Doug Skelton to purchase the truck.**

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

#### Fire Police Request: Plumstead Township Blaze of Glory 5K Run on Saturday, March 25, 2023.

**Motion: to authorize any and all available volunteer Fire Police for the Plumstead Township Blaze of Glory 5k Run on Saturday, March 25, 2023.**

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

#### Rolling Hills Resident Concern

Residents John Kelly and Kelly Kendall said that at the recent Rolling Hills Home Owner Association (HOA) meeting with developer and HOA president, Mark Hankin, Hankin said that it was the responsibility of the Township to remove the 30 -- 40 wild trees from the right-of-way within the development. Kelly said that from what he read in the HOA by-laws, he understood it to be the property owner's responsibility or Hankin's responsibility and asked for clarification.

Helms said the Township has the right to remove the trees with the right-of-way, but it is the responsibility of the property owner to properly maintain the right-of-way. Lewis said that she had received an email from Hankin that day and had confirmed with him that it is the property owner's responsibility. Rosamilia asked Harris to review the HOA to determine if it is Hankin's, the HOA's or the homeowner's responsibility to remove the trees.

Kelly asked if the 25-year stipulated settlement agreement between Hankin and the Township had expired. Harris said that it had expired, but the Township had negotiated an agreement to extend the agreement because the Township was concerned about stormwater management. He said that he had spoken with Hankin's lawyer, John Luvanee, and would bring those documents when they are completed.

Kelly asked if Hankin could reduce the size of the houses and lots. Harris said that was an HOA issue and not something the Township would enforce. He said he was not part of the original stipulated settlement agreement negotiation, but when he reviews the documents regarding the right-of-way responsibility, he would also look at the language regarding original house and lot size. Lewis clarified that Kelly was asking if the recent negotiated agreement had affected the lot size. Harris said he would check.

Kelly asked who was responsible for the open space in the subdivision and if Hankin could sell the open space. Lewis said that certain areas are deed restricted but are not owned by the Township. She said the Kelly's should refer to their HOA regarding ownership/responsibility or consult an attorney. Harris said that even if the property was sold the deed restrictions would severely limit any future use.

**C. Regular Business**

Minutes

Due to typos, approval of the January 9, 2023 Board of Supervisors meeting minutes was tabled until the next meeting.

Treasurer’s Report & Budget Recap

The Budget Recap and Treasurer’s Reports for December 2022 was presented and posted on the bulletin board in the meeting room. Lewis noted that the Township had met the previous year budget.

Payroll Report

**Motion to accept Payroll Reports for the period ending January 13, 2023 in the amount of \$35,784.94.**

Motion by: Helms. Second by: Rosamilia. 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>
Aflac Business Services	\$145.64	Supplemental Insurance withheld
Keystone Municipal Services Inc	\$3,612.75	Zoning and Building Services (4 weeks)
Sands Ford	\$92.63	Police F-150 Brake pads
Leaf	\$14.10	Police Copier Lease
Uniform Gear	\$66.49	Police Uniform Supplies
Help Now	\$75.00	Police IT
GT Services	\$492.00	Police Vehicle (new)
Grim, Biehn and Thatcher	\$585.00	ZHB Legal Services Hessol
R. Rosamilia	\$31.98	Reimbursement-speakers for audio equip.
Verizon Wireless	\$207.31	Police Wireless
Earth Link	\$67.90	Webhosting Services Jan & Feb 2023
Harris and Harris	\$2,353.75	Legal Services December 2022
ReadyRefresh	\$236.80	Bottled Water
Wynn Associates Inc.	\$7,505.30	Engineering Services Dec 2022
Met-Ed	\$30.88	Electricity Traffic Light
PennTeleData	\$382.63	Modems
Holicong Locksmiths	\$137.45	Holicong Locksmiths - service call PWD
Ricoh Americas Corp	\$485.10	Ricoh Machine (reimbursed)
<b>Payroll Fund</b>	<b>Amount</b>	<b>Memo</b>
SurePayroll	35,129.24	Period End 1-13-23

**D. Subdivision / Land Development / Conditional Use**

LD 2022-3: Land Development of Tretton

CU 2022-1: Conditional Use of Tretton

31 Creamery Rd, Ottsville. TMP 44-001-022-002.

Proposes to renovate barn as a wedding venue.

Requests Conditional Use approval to construct stormwater management facilities in steep slope area and permit substantial property improvement within the Tohickon Creek Watershed overlay.

- Applications received August 16. (60 Day Waiver Letter received for Conditional Use.)
- Planning Commission review on October 25.
- Waiver of the clock requested as applicant needs to provide further information.
- Board of Supervisors review tentatively scheduled for February 21, 2023.

Helms said Tretton is to send updated information to the PC by the end of the week and, if additional time was needed for PC review, that the PC continue the meeting so the Board can have their full review

and recommendation before February 21. Helms said if the material was not received until the following week, it would be appropriate to ask for another time waiver to allow for sufficient reviews.

**E. Public Comment Session**

Temporary Headquarters Bridge

Resident Tim Cashman asked about PennDOT's position on the temporary Headquarters bridge. Helms said that they do not have an official position from PennDOT, but if they are able to find an available temporary bridge, the Board could then request ownership from PennDOT. Cashman asked how the current lawsuit with PennDOT and Steve Gidumal would affect a temporary bridge. Helms said that those lawsuits would have to be resolved for a temporary bridge to move forward. Rosamilia asked Harris if there was any update on the lawsuit. Harris said no. Cashman asked if the Woodtiger funds were paying for the investigation of the temporary bridge. Helms said yes.

Commercial Lighting Concerns

Resident Luke Sorensen said that, based on his light meter, the lights at the service station at the corner of Routes 611 and 113 were brighter than the lighting ordinance allows. Lewis said that notices had previously been sent to the owner. She asked that Sorensen send the light meter information to the new Zoning Officer. Sorensen also said that according to the ordinance, lights should be turned out at 10 pm but Vanderlely's new commercial building light was staying on all night and asked that the Zoning Officer review it. Sorensen noted that Wrightstown, Solebury and other municipalities had added a limit on the Kelvin Temperature, which is a method of describing the color characteristics of a light source, in their ordinances. Helms recommended a Planning Commission review. Helms also noted that if anyone has zoning concerns, they can contact the Zoning Officer directly.

**F. Executive Session**

Helms announced an executive session had been held preceding the meeting from 6:30 PM to 7:15 PM regarding land acquisition. Helms recessed the regular meeting at 9:30 PM to discuss matters of land acquisition. Helms reconvened the meeting at 9:40. No action was discussed.

**G. Adjournment**

**Motion to adjourn the meeting at 9:42 PM.**

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

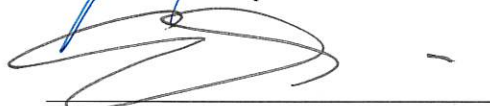
*The next meeting of the Board of Supervisors is scheduled for February 7, 2023 at 7:30 PM.*

**TINICUM TOWNSHIP BOARD OF SUPERVISORS**



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Jim Helms, Chairperson



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Eleanor Breslin, Vice-Chairperson

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Richard Rosamilia, Member