

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
September 5, 2023**

Supervisors Eleanor Breslin, Jim Helms, and Richard Rosamilia were present with Township Manager Teri Lewis, Township Solicitor Steve Harris and Chief Nicole Madden. The meeting, held in the Tinicum Township building meeting room, was live-streamed on Zoom and recorded. There were approximately 14 people present, and 7 people viewed it online.

Chairperson Helms called the public meeting of the Tinicum Township Board of Supervisors to order at 7:35 p.m., followed by the Pledge of Allegiance.

A. Emergency Services

Chief Madden, Tinicum Township Police Dept., presented the following report for August 2023:

- 230 Incident Reports
 - 95 service-related, 51 crime/investigative (including 1 theft report and 1 drug-related arrest), 75 traffic, 5 training, and 4 court.
- 1 Reportable Traffic Accidents in August
 - A motorcycle struck a vehicle as it exited the Frenchtown Bridge after the vehicle proceeded without clearance onto River Road.
- 5-Year Reportable Accident Average
 - Over the past 5 years, for the month of August, there have been an average of 3.2 reportable accidents.
- Drug Take Back at Wehrungs Home Center scheduled for October 8, 10 AM to 2 PM

B. Announcements

Executive Session

The Board held an executive session prior to the meeting from 6:30 to 7:25 p.m. to discuss personnel and potential litigation.

Dirt and Gravel Road Project: Tankhannen Road Update

The Board stated that Tinicum Township qualified for funding through the Bucks County Conservation District and Penn State Center for Dirt and Gravel Roads for a project on Tankhannen Road. The project's mission is to protect the water quality and improve the roadways and drainage systems that have a direct impact on surface water. The Board stated that the project is nearly complete. The Board thanked Public Works for their excellent work and the community for their patience during the project.

2nd Annual Trunk and Treat at Tinicum Community Park

The Parks and Recreation Board will hold the 2nd Annual Trunk and Treat event on Saturday, October 28. The Rain Date is Sunday, October 29. There will be costume and decorated trunk contests. Any interested volunteers should contact the Tinicum Township Administrative Offices to be put in touch with the Parks and Rec Board.

Senior Expo Hosted by Representative Shelby Labs

Representative Shelby Labs will hold a Senior Expo on Friday, October 6 at the Pennridge Community Center, 146 East Main Street, Perkasie. For more information, go to RepShelbyLabs.net.

Bridgeton - Nockamixon - Tincicum Groundwater Committee: Annual Report

Dr. Carrie Manfrino and Dr. Riley Murphy, who represent Tincicum on the Bridgeton - Nockamixon - Tincicum (BNT) Groundwater Committee, were present to provide the annual report along with other members of the committee, including: Chairman Todd Stone, who was invited to join the Committee by the late Dr. Bob Stanford, who was dedicated to the study of Tincicum's groundwater; Dr. Steven Donovan, a chemist who provides insight on the chemicals that can threaten water supplies; and volunteer Mary Lennon, who gathers the data from the continuously monitored wells every 2 months and conducts the seasonal studies twice a year. Eco Bucks representative Bill Ballantine was also present.

Manfrino gave the following presentation:

For 23 years, the group has been measuring the groundwater levels across the three townships. There are 10 continuously monitored wells where the data has been collected 24 hours a day for the past 23 years. There are an additional 40 wells that are measured seasonally. A variety of methods are used to measure the water, and they have seen a number of interesting trends over the 23 years of data.

As a result of measures put in place to control development, the Township has sustainably managed the Township's groundwater resources based on the data. However, with climate change and further development, it is important to focus on carefully maintaining the groundwater. It was noted that unlike many areas that are dependent on reservoirs, most of Tincicum's water comes from secondary reciprocity, or faults, fractures, and caverns underground at different levels. She said that along the river and in the flood plain there is an aquifer.

There is a hydrogeologist who provides analysis for the committee and has developed a local drought monitor. The monitor enables them to assess the groundwater data during a state-announced drought and advise the Board and the community accordingly. There is also a stream flow gauge in the Tohickon, which, along with the well and precipitation monitors, enables them to closely assess recharge and drought conditions.

The BNT Groundwater Committee donated a weather station to the Palisades School to record precipitation at the school. The Committee is working with the school to help them learn how to use it as part of their community outreach. The modeling can help the Supervisors assess and manage drought situations.

Manfrino asked the Board how the Committee can better plan for future growth, climate change, and offer solutions to address water vulnerability. She said the Committee would like to discuss engaging in a long-term water quality study by having the community monitor their own wells. Manfrino said the Committee could develop a good outreach program to help the community begin their own well testing, understanding what to test for and how to evaluate the results. It was noted that some of the Committee members have begun testing their own wells. Manfrino requested a water planning session with the Board to discuss project ideas and future direction. It was noted that all the Groundwater Committee's research is paid for through grants.

The Board thanked the Committee for their work. They asked if the caps needed to be removed for the testing. The Committee said the cap did not have to be removed if the cap is drilled out and a monitor is installed or the cap can be removed and a sonic probe is inserted to measure pressure. It was noted that most of the wells being monitored are in Tincicum and, on average, are typically 400 feet deep.

Resident Jim Grow asked if the Committee could provide a legitimate water testing laboratory. The Committee recommended the Penn State Extension lab.

C. Old Business

Rolling Hills Farms Proposed Amendment

The Board stated that the proposed amendment to the Rolling Hills 1996 Stipulated Settlement Agreement / Stormwater Maintenance and Monitoring would be tabled.

Headquarters Road Bridge Update

The Board stated that they are expecting to receive a report regarding the determination of the load-bearing capacity of the Headquarters Bridge abutments from Doug Bond of McMullan Associates by the end of October. It was noted that the 2014 test samples and the more recent test are enough to make a determination and that additional core samples may not be necessary.

Ordinance 260: Entertainment

Lewis stated that the Tincum Planning Commission, Township Solicitor Steve Harris and the Bucks County Planning Commission had reviewed the Ordinance and that it had been advertised.

Motion to adopt Ordinance 260: Entertainment.

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

Agricultural Security District Application: James and Christina Helms

442 Hollow Horn Road, Pipersville. TMP 44-011-057-002-001. 14.114 AC. Zoned RA Residential Agriculture.

As the owner of the property, Supervisor Helms announced he would recuse himself.

Lewis stated that the Bucks County Agricultural Security District seeks to promote the right to farm, and participants receive protection from nuisance complaints and lawsuits affecting normal farming activities but are not exempt from Township Ordinances. The application was advertised. The application was then reviewed by the Township and County Planning Commissions for review and was recommended for acceptance. The request was then advertised again, and no opposition was received.

Motion to accept the Agricultural Security District Application of James and Christina Helms, TMP 44-011-057-002-001.

Motion by: Breslin. Second by: Rosamilia. Helms recused himself because he is the property owner.

Zoning Ordinance Codification

Lewis said that the Planning Commission had reviewed the codification, and the Board had authorized the advertisement of the codification. As there is no change or modification to any ordinance, simply a reorganization that would change section numbers, it was determined that advertising would not be necessary.

Motion to publish the codification of the Zoning Ordinance as prepared by the Tincum Township Planning Commission.

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

D. New Business

Cryptocurrency Mining Operations Ordinance

Motion to send the Cryptocurrency Mining Operation Ordinance to the Tincum Township Planning Commission and the Bucks County Planning Commission for review.

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

Agricultural Security District Application: Cally A. Iden

628 Cafferty Road, Upper Black Eddy, TMP 44-05-093 & 44-005-096. 13.5 AC. Zoned Residential Conservation.

The application will be reviewed by the Tincum Township Planning Commission at their meeting on September 26. A hearing will be held on October 17 during the regularly scheduled Board of Supervisors Meeting to accept public comment and proposed modifications by other landowners in the Ag Security District.

E. Regular Business

Minutes

Motion to approve the Board of Supervisor minutes of August 15, 2023.

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

Treasurer’s Report & Budget Recap

The Treasurer’s Report and Budget Recap for July were presented to the Board and posted on the meeting room bulletin board.

Payroll Report

Motion to accept the Payroll Report for the period ending August 11 in the amount of \$34,248.11 and August 25 in the amount of \$33,108.91.

Motion by: Helms. 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.

General Fund	Amount	Memo
Leaf	\$14.10	Police Copier
Davidheiser’s	\$115.00	Calibration
Staples	\$120.60	Supplies
Merry Maids	\$169.00	Janitorial
Centric Business Systems	\$185.89	Copier
B. Jeannie Kauffman	\$260.00	Stenography
DelGuerico’s	\$310.00	Trash and Recycling Removal
NAPA of Ottsville	\$360.41	parts
PennTeleData	\$381.85	Internet Modems
Wehrung’s	\$417.94	Supplies
Service Electric Cable	\$545.72	Telephone Service
U.S. Bank Equipment	\$565.45	Copier Lease (two months)
Uniform Gear	\$723.59	Police Uniform Supplies
VISA	\$910.22	Police Dept dehumidifier and building supplies
Plumstead Materials	\$1,518.90	Stone -BCCD Tankhannen
Plumstead Materials	\$2,082.04	Stone -BCCD Tankhannen
Keystone Municipal Services	\$3,822.00	Bldg. and Zoning Services
Keystone Municipal Services	\$4,839.50	Bldg. and Zoning Services
M&W Precast	\$6,556.95	Pipes-BCCD Tankhannen
Payroll Fund	Amount	Memo
Account Edge Payroll	\$34,248.11	Pay period end 8-11
Account Edge Payroll	\$33,108.91	Pay period end 8-15

State Fund	Amount	Memo
U.S. Municipal Supply	\$288.94	Sign supplies
Vanderlely's Truck Sales	\$570.50	Fleet Repair Supplies
Michael's Garage	\$784.00	Fleet Inspections
Wehrung's	\$318.99	Supplies
Callahan Bearings	\$42.00	Supplies
Escrow Fund	Amount	Memo
Kelsey Carney	\$1000.00	Final Reimbursement (close acct)
Open Space Fund	Amount	Memo
Del Val Regional Finance	\$10,638.60	Bond Payment

PMRS Annual Minimum Municipal Obligation Worksheets
2024 Pennsylvania Minimum Municipal Obligation (MMO)

Confirmation of receipt of memos and estimation of the MMO's for the Tincum Township Non-Uniform Defined Contribution Plan and the Tincum Township Uniform/Police defined benefit plan for the year 2023. In accordance with the 1989 uniform Pension Contract with the Pennsylvania Municipal Retirement System, a member contribution in the amount of 3% will be required to assist the Township with funding for the plan. The Police Contract Retirement Benefits, approves the requirement for member contributions in the amount of 3% to the Police Pension for the calendar year 2023. The Board reserves the right to amend or revise the uniform Plan MMO worksheet if State Aid provides sufficient funding to cover the Township's costs.

F. Zoning

1. Zoning Hearing Board Application ZHB 2023-02: Karen Giordano

59 Byram Rd., Pt. Pleasant. TMP 44-030-015. Zoned Village Center. .31 AC.

Applicant seeks relief from multiple zoning ordinances for a nanobrewery and tasting room including flood plain, setbacks, use, lot, and parking requirements.

- Application Received: 4/21/23
- Board of Supervisors Decision to send to the Planning Commission: 5/2/23
- Applicant's Attorney Requested Extension: 6/6 extending to 9/30/23
- Planning Commission Review: 9/26/23
- Board of Supervisors decision to send the Solicitor: 10/3/23
- **Zoning Hearing Board Hearing: 9/14/23 to continue to 11/9/23**

2. Zoning Hearing Board Application ZHB 2023-3: Thomas Berger - *Withdrawn*

Center Road, Erwinna. TMP 44-015-008. Zoned Residential Agriculture. 10.45 AC.

Applicant requests relief from multiple zoning ordinances regarding use in Steep Slope Conservation Overlay District, and slope disturbance on steep and very steep slopes to build a driveway, single-family detached dwelling, septic system, pool, and associated accessory uses.

- Application Received: 6/26/23
- Board of Supervisors Decision to send to the Planning Commission: 7/11/23
- Planning Commission Review: 7/25/23
- Application Withdrawn: 8/23/23

3. Zoning Hearing Board Application ZHB 2023-4: Eugenie Perret and Michael Schmick

13 Lily Valley Road, Erwinna. TMP 44-014-024-006. Zoned Residential Agriculture. 9.7 AC.

Applicant requests relief from multiple zoning ordinances to allow construction of a driveway to cross wetlands.

- Application Received: 7/12/23
- Extension Request Letter Received: 7/14/23 extending to 9/30/23
- Board of Supervisors decision to send to the Planning Commission: 8/15/23
- Planning Commission Review: 8/22/23
- Board of Supervisors decision to send the Solicitor due: 9/5/23
- **Zoning Hearing Board Hearing: 9/28/23**

The Board stated that the Planning Commission reviewed the application and recommended the Board remain neutral.

Attorney Gavin Laboski and Stan Lalka of Crews Surveying were present for the applicants. Laboski stated that the 9.7-acre vacant lot #7 is subject to a conservation easement and was created pursuant to the 1980s plan. He said it is the first step toward constructing a single-family detached dwelling within the building envelope. Laboski noted that lot 6 has a house and a driveway that crosses back and forth between lot 6 and lot 7. He said that there is a shared driveway easement for lots, 6, 7, and 8. The applicants approached the owners of lots 6 and 8 to ask permission to go around the wetlands, but were denied permission. Laboski said there were 250 feet of wetlands. Laboski said all the variances requested are to allow the driveway to cross the wetlands overlay, and wanted to get approval before designing the site and location of the house, and stormwater. He said that Tinicum Conservancy does not oppose the variance to construct the driveway and house and the applicant was amenable to all of Tinicum Township Engineer Steve Baluh's comments in his review memo. Laboski said that he would provide an existing aerial view of the lot and of the other homes for the Zoning Hearing Board.

The Board chose to remain neutral.

4. Conditional Use Application CU 2023-3: April Vergara
27 Swamp Creek Road, Erwinna. TMP 44-006-095. Zoned Residential Agriculture. 1.46 AC
Applicant requests Conditional Use approval for a new drip micro-mound septic system that was installed on the lot in the rear yard setback.
 - Application Received: 8/21/23
 - Board of Supervisors decision to send to the Planning Commission: 9/5/23
 - Planning Commission Review: 9/26/23
 - **Board of Supervisors Hearing: 10/3/23**

5. Zoning Hearing Board Application ZHB 2023-5: Mark Calloway
1247 River Road, UBE. TMP 44-009-004. Zoned Residential Conversation. 1.93 AC
Applicant requests relief to construct a pole barn in setbacks and floodplain.
 - Application Received: 7/17/23
 - Extension Request Letter Received: 7/19/23
 - Board of Supervisors decision to send to Planning Commission: 9/5/23
 - Planning Commission Review: 9/26/23
 - Board of Supervisors Decision to send the Solicitor: 10/3/23
 - **Zoning Hearing Board Hearing: 10/26/23**

6. Zoning Hearing Board Application ZHB 2023-6: Michael Tierney - *Withdrawn*
336 E. Dark Hollow Road, Pipersville. TMP 44-022-001. Zoned Residential Agriculture. 47 AC.
Applicant requests relief to construct a commercial farm store, associated parking area, and driveway.
 - Application Received: 8/4/23
 - Application Withdrawn: 8/17/23

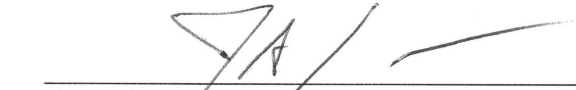
G. Adjournment

Motion to adjourn the meeting at 8:19 p.m.

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

The next meeting of the Board of Supervisors is scheduled for September 19, 2023, at 7:30 p.m.

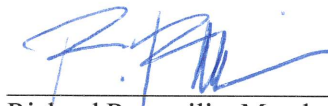
TINICUM TOWNSHIP BOARD OF SUPERVISORS



Jim Helms, Chairperson



Eleanor Breslin, Vice-Chairperson



Richard Rosamilia, Member