

RESOLUTION NO. __ 1 - 2024 ____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TINICUM TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA. REGARDING THE HEADQUARTERS ROAD BRIDGE

WHEREAS, the Board of Supervisors of Tinicum Township is charged with the general governance of the township and the execution of legislative, executive and administrative powers in order to ensure sound fiscal management and to secure the health, safety and welfare of the citizens of the township; and

WHEREAS, the citizens of Tinicum Township have been burdened by the closure of the Headquarters Road Bridge (“Bridge”), an action taken by the Pennsylvania Department of Transportation (“PennDOT”) in March 2011, when the deck of the bridge fell into disrepair; and

WHEREAS, PennDOT has explored various options for replacement of the Bridge which have received a mixed reception within the Township, with some residents favoring the new, larger bridge, and others preferring a historically-appropriate rehabilitation which preserves the historic character of the original bridge; and

WHEREAS, despite the planning and permitting efforts of PennDOT to construct a new two-lane bridge, some residents and local advocacy groups have opposed PennDOT’s plans, including the pursuit of legal actions, which have delayed, and stand to continue to delay, the construction of a new bridge by PennDOT; and

WHEREAS, the Bridge is a significant part of the Township's history, having been constructed in 1812 to span Tinicum Creek, in the heart of the Ridge Valley Rural Historic District; and

WHEREAS, PennDOT will not agree to pay for or perform a historically-appropriate rehabilitation of the Bridge, however PennDOT has advised the Township that it will transfer ownership and/or control of a section of Headquarters Road, as specified below, and the Bridge to the Township so that the Township can rehabilitate the Bridge; and

WHEREAS, since late 2022, The Woodtiger Fund has provided funding to the Township for purposes of engaging professionals to evaluate the feasibility and load-bearing capacity of a rehabilitated Bridge, and those studies confirm that the Bridge can be restored to support the largest emergency service vehicles providing coverage to the community; and

WHEREAS, The Woodtiger Fund has offered to provide the Township with all funds required to rehabilitate the Bridge and repair the approach roadways; the adjacent landowner(s) have agreed to provide temporary and, if necessary, permanent rights of way and access to the Township for rehabilitation and maintenance purposes; and

WHEREAS, given the significant legal challenges which continue to delay PennDOT’s plans to replace the Bridge, the Township Supervisors believe that it is in the best interest of the Township for the Township to take ownership and control over the section of Headquarters Road, as described below, and the Bridge and see to its rehabilitation and reopening;

WHEREAS, PennDOT has expressed a willingness to convey the section of road and the Bridge to the Township for such purposes, with the Township thereafter assuming responsibility in perpetuity for the maintenance of the defined section of road and the Bridge; and

WHEREAS, Pennsylvania statutes currently provide that PennDOT may transfer ownership of any section of a State Highway route to municipalities through a “turn-back” process defined by 36 P.S. 670-222 and 75 Pa.C.S.A. Chapter 92 which, in part allows PennDOT to “abandon any highway route on the State highway system, or part thereof, if the municipality wherein is located by ordinance or resolution approves the action and agrees to assume expense of maintenance and improvement of the same”; and

WHEREAS, the Township was provided with a copy of a Turnback Agreement and Forms PR-996 and PR-997; the Board of Supervisors of Tinicum Township, Bucks County, Pennsylvania, pursuant to 36 P.S. 670-222 or other legislation or legal authority, agrees to accept the transfer of the Headquarters Road Bridge and the approach roadways, specifically the section of Headquarters Road from its intersection with Red Hill Road up to and including the intersection of Headquarters Road and Sheep Hole Road in their current as-is condition, without improvement or repair, and to accept ownership of, and future inspection and maintenance responsibility for it and assume expense of maintenance and improvement of the Bridge;

NOW, THEREFORE, be it RESOLVED, and it is hereby RESOLVED that:

Provided (i) a legally binding Letter of Commitment from The Woodtiger Fund to the Township is provided to the satisfaction of the Board of Supervisors to pay for the Township’s rehabilitation and maintenance of the Bridge, and the repair and maintenance of the approach roadways; and (ii) suitable terms are negotiated with the neighboring property owner(s) to secure easements and rights of way as needed to rehabilitate and maintain the Bridge and approach roadways, and (iii) suitable terms are negotiated with PennDOT relating to the actual turnback agreement, the Supervisors support taking ownership of the section of Headquarters Road, as defined herein, and the Headquarters Road Bridge from PennDOT to effect its historically-appropriate rehabilitation, and to reopen Headquarters Road as expeditiously as possible.

NOW THEREFORE, BE IT RESOLVED, the Board of Supervisors for the Township of Tincum authorizes Eleanor Breslin, Board Chair, to execute a Turnback Agreement with PENNDOT and supporting documents accepting the Bridge and the approach roadways in their current as-is condition.

RESOLVED this _____ day of February, 2024.

TINICUM TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:

Eleanor Breslin, Chair

Terry Fedorchak,
Interim Township Manager

Richard Rosamilia, Vice-Chair

John Cole, Supervisor