

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, MEMBER

Tinicum Township Board of Supervisors Meeting Minutes December 19, 2023

Supervisors Eleanor Breslin, Jim Helms and Richard Rosamilia were present with Township Manager Teri Lewis and Township Solicitor Steve Harris. The meeting, held in the Tinicum Township building meeting room, was live-streamed on Zoom and recorded. There were approximately 35 people present, and 10 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. Announcements

An Executive Session took place to with the Board of Supervisors discussing personnel and possible litigation. Meeting from 6:45 – 7:15 p.m.

B. Chief Madden update:

Chief Madden's report: 262 incident report for the month of November; 78 were for Services, 53 were criminal investigative including one fraud report; 117 were for traffic; 11 for training and 3. We had two reportable accidents in November 2: vehicle crash on East was the result of a towing vehicle, failing to maintain their lane and we had a two vehicle rear and crash on 611 which was a result of distracted driving PSP handled to reportable crashes; one crash on River Road at the Frenchtown bridge and one on 611. We've had an average of 2.4 reportable crashes in November over the last five years. Last week, we participated in Quakertown at the 13th annual Shop with Cop donations went to the Tinicum Township Police Foundation. We were able to sponsor 10 kids from the Tinicum area so they each got \$150 to Shop with Cop and then their families received \$100. It was a lot of fun Excellent and well received by the public.

C. Motion to accept a temporary implementation of Permit Application procedures at the Township Office while we have an Interim Township Manager.

1. Proposal of new hours for accepting permit applications on Tuesdays and Thursdays only. An appointment can be made directly with the Building Inspector or the Zoning Officer or by calling the Township Office for assistance to direct you appropriately.
2. The Township is staffed with part-time contractors, and the zoning officer and the building code officials are only in the building on Tuesdays and Thursdays 9 a.m. – 2 p.m.. Again, it is best to call the office to make an appointment with them directly. It is good to utilize the Township website to gather information first. They are the only personnel authorized to receive plans, to determine whether they are complete and the appropriate fees required are being paid/received.
3. Henceforth the township will only accept plans with a permit application on Tuesdays and Thursdays when both officials are present. They do conduct inspection on these days and do step out of the office for brief periods.
4. The previous Township manager was with the Township for many years, she resigned in December and she was in the office every day and was familiar with what was needed to be in the

permit application so she was able to fill in those gaps in between the Tuesdays and Thursdays. We don't have that luxury now, so during this interim period this is what we're instituting and it is with the idea and the hope that it makes it easier for a resident and Township personnel.

Motion was accepted and approved by all 3 Supervisors: Eleanor Breslin, Jim Helms and Richard Rosamilia.

D. Old Business

Headquarters Road Bridge Update

The Solicitor, Mr. Harris stated that they had the judge's denial of exceptions in explaining the Environmental hearing board not to consolidate the two appeals. No additional conversations or meetings are scheduled for that. Question from resident Chris Dardaris was seeking clarity on the litigation, the process and the funding sources and expressed concern of the length of time to move forward with a bridge solution. The eminent domain case is awaiting a decision by the judge. A more detailed description is available in the prior month's minutes. Over the summer, research was done and paid for by a private source funding to determine if the viability of the bridge abutments. So that when the bridge solution option was determined that there would not be further slowdown. There might be a potential for private funding for the bridge. The Township does not have the authority to build the bridge, it is in the hands of the third party and PennDOT litigation. Resident, Mr. Gidumal spoke and stated that the money is coming from the private source, details are being discussed. The environmental impact of the creek was a concern by residence and that brought initial litigation to hold up the bridge. PennDOT did not maintain the bridge for many years. Mr. Steve G said he could get the bridge started in 2024.

Resident, Anita Nolan, raised concern of the bridge cannot be a super highway.

Jim Helms directed the residence to come up to the microphone but no shouting out. Mr. Steve Gidumal is hoping to set up a meeting in January with the potential bridge funders and would hope to begin by August 2024.

Another resident, raise concern of the size of bridges. He spoke of the history of the other bridges in the Township were dilapidated and then torn down and rebuilt i.e. bridge on Cafferty Road, replacing one-lane bridges with two-lane bridges. Damages caused by trucks, school buses and then Jersey barriers were added. Truck traffic increases when the bridges are large enough to cross. We need to fight to rehabilitate our bridges to keep their historic or aesthetic appeal.

Multiple Residents spoke general history of other dilapidated bridges. Who is going to pay? The burden should not fall on the residents.

Jim Helms, we are now moving on to our next agenda item.

1. Advertised Hearing Crypto Currency / Intensive Digital Computer Operations Ordinance
Jim Helms, motioned to approve: All in Favor (3).
2. Advertised Hearing Subdivision Ordinance Amendment Advertised for Dec 19, 2023.

Jim Helms, made a motion to approve the ordinance amendment so that Lots cannot be subdivided according to the amendment. Comment and Question by resident, Chris Dardaris. There are some lots that cannot be subdivided but some can but you must get a variance. Motion to approve; All in favor, Eleanor seconded

3. Advertised Hearing Speed Limit Ordinance – The speed limits for a couple of roads: We are looking to reduce the speed limit to Ridge Valley down to 20 mph; set the entire length of Stage Coach Road

to 25 mph; and Hollow Horn which crosses over route 611 to western intersection of Brick Church Road and Eastern intersection Church Road to Cafferty Road to 35mph.

Motion made – all were in favor.

4. Hankin / Young Easement

Agreement was reviewed for the easement by the Board; Mr. Hankin signed in; The board was concerned with the termination clause and of the sale or new owner, J. Helms did not want termination to be the only result. The Township will still have access to pass through and we can give the emergency vehicles access. Can you put in other clause of insurance to maintain it. We can file an existing order. Was the easement changed from your driveway to then access to Shull Farm Road extension. The Township does not want to find themselves in the middle of the future parties on this matter and would prefer the agreement be written in such a way. The Township Lawyer spoke to clarify to try to Mr. Hankin. The Township can't stop the Young's from putting in the driveway so that they have access to emergency vehicles. This easement has gone through ten variations. The right to confess judgement for money damages via legal action but this easement should not result in termination of access. Rich Rosamilia wanted to clarify.

Township Solicitor, Steve Harris, stated that the motion should state the access to the easement provided no provisions that the easement could be terminated, except for access to Permanent School Road or when Shull Farm Road was completed in the direct easement was in place, but it would permit that you pursue the monetarily for a failure to maintain failure to ensure. Do we want to address this driveway that the zoning board has approved Headquarters Road access. It would be the future homeowner's choice and the Township allows for one driveway access only since that has already been approved, but not two driveways allowed, either or, but not both.

Motion will be drafted with new clauses, per Steve Harris. As long as, Mr. Hankin cannot extinguish or terminate access to the property.

Comment from the Resident of Erwinna Valley Way, Wes Swope, asked if the new owner of the property with the new easement would be allow access from the future extension of Shull Farm Road at Fox Run and the easement would go across to down to Tettermar Road and Permanent School Road. Then resident, Denise Swope, or Erwinna Valley Way, commenting about potential traffic cutting through the neighborhood. Town Solicitor, Steve Harris, stated Shull Farm Road will give access and be the access for future homeowners.

Jim Helms, stated that the Township does not have governance over Home Owners Associations.

Motion to approve, all in favor (3).

5. 2022 Tax Collection Cleanup

Our current tax collector has agreed to serve as retroactive Deputy Tax Collector for the year 2022 to assist with refunds to the agencies and taxpayers that were affected by problems in 2022. The money for the refunds that the county has determined and the Deputy Tax Collector will be paid.

Motion to appoint Debbie Yeager as the Tax Collector and to authorize the Tax Collector to open a separate bank account for 2022 funds. **Motion approved, all in favor (3).**

E. New Business

1. Motion to Appointment of Interim Township Manager, Terry Fedorchak. After our zoom meeting with Terry Fedorchak brings many years of experience and from six different

municipalities. He brings a wealth of knowledge to aid in this transition. Engage the services of an Interim Manager. He will work 20-24 hours at a rate \$125/hr no benefits.

Eleanor Breslin, motioned to approve the hiring of Terry Fedorchak as Interim Township Manager.

Motion to approve, all in favor, (3), Jim Helms, Rich Rosamilia and Eleanor Breslin.

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2. Motion to decide to join Route 113 PennDOT Speed Study with Bedminster Township, Motion to approve; all agreed in favor (3).

 3. Motion to authorized the new Interim Manager to sign the Haines/ Rendezvous Farm Planning Modules. Motion approved, all in favor (3).

F. Regular Business

1. Minutes: December 5th are not yet available for approval. The link to the video recording of the Board's zoom meeting has been posted on our website.

2. Treasurer's Report & Budget Recap – We are currently working with our new book keeper and reports will be available at the first meeting of January 2024.

3. Payroll Report
Report for periods ending 12/6/23 for \$40,106.00 & 12/13/23 for \$12,336.66 and 12/23/23 for \$25,646.39

Motion to approve, all in favor (3).

4. Disbursements – Motion to approve, all in favor (3). See attached list of disbursements.

Disbursements

General Fund	\$ Amount	Memo
DeVal Vol. Fire Co.	10,000.00	Fire Co. Rescue Vehicle
Wynn Associates, Inc.	715.50	Escrow (Spinleo, Reedy/Andreason, Woodtiger, Karroll)
PSATS	87.62	Unemployment Comp. Fee & Late Fees
Joan E. Tanner	23.60	Reimburse Personal Expense for Township Expense
Wehrungs	691.76	Misc. Supplies for General Gov't Needs
Davidhelsers	115.00	Speed Testing Equip. (Test and Certification)
Help Now	285.00	Township Police Firewall Repair
Met-Ed	30.93	Electric - Ottsville
Met-Ed	456.11	Municipal Bldg
Met-Ed	221.49	Public Works Bldg
Met-Ed	50.05	Light @ Rt. 113
Staples	20.87	Office Supplies
Suburban Propane	949.05	Heating Oil
Grlm, Blehn, and Thatcher	1,147.00	ZHB -(Gen., Berger, Perret & Schmick, Tierney, Calloway, Reedy/Andreason)
B. Jeannie Kauffman	270.00	Court reporter - ZHB (Solazzo and Smith)
Wynn Associates, Inc.	1,889.70	Eng. Services (M&W Precast, TWSP Park, Sorbello, Wolf & Weiss, Rendevious Farm, Daniels, Ronea Ass., Poladian & Graze, Stalkos, and Gen. Eng.)
Wynn Associates, Inc.	-	
Keystone Municipal Services, Inc.	6,534.50	Bldg Inspections, Zoning Officer
US Bank Equipment Finance	274.90	Copy Machine Lease
Frank Yevcak	116.16	Resident Mailbox Repair as a Result of PD damage.
PenTeledata	383.41	Cable
Amerigas	327.11	Propane Tank Rental
Compressed Air Systems	416.69	Fire Extinguishers-Inspection, Repair and Maintenance
Harris and Harris	4,834.42	Legal Fees-November 2023
Deborah Ann Yerger	60,391.34	Refund to County for 2022 RE Taxes Overpaid to Tincum
PA Chiefs of Police Assoc.	150.00	Membership fee through December 2024
Payroll Fund		
PA State Fund		
Open Space Fund		

G. Public Works – No updates at this time.

H. Conditional Use/Zoning

Zoning Hearing Board Application ZHB 2023-12: Jonathan Weiss & Abigail Wolf

112 River Road, Point Pleasant. TMP 44-033-001. Zoned Village Center. 1.022 AC.

The applicant requests relief to construct a private swimming pool and related improvements within the front yard and side yard setbacks, and exceeds impervious coverage.

- Application Received: 11/6/23
- Planning Commission Review: 12/12/23
- Extension request letter received: 11/6/23
- Board of Supervisors Decision to send Solicitor to Zoning Hearing: 12/19/23
- **Zoning Hearing Board Hearing: 2/22/24**

Motion to: Motion to send someone to oppose this application or request relief to contract the private swimming pool and related improvements within the front yard and side yard setbacks and exceeding impervious coverage. Commission is subject to the applicant’s construction of a buffer along the property line, and Steve received a call from the attorney for Abigail Wolf Wright. Motion for Steve to write the letter and the zoning board meeting is scheduled for 2/22/24.

- Zoning Hearing Board Application ZHB 2023-9: Paul Wieand
196 Red Hill Road, Ottsville. TMP 44-014-021-001. Zoned Residential Agriculture. 17.1 AC. The applicant appeals the decision of the Zoning Officer and in the alternate requests a use variance to allow rental of a cottage and rental of an undisclosed number of barn units.

- Application Received: 9/29/23
- Planning Commission Review: 10/24/23
- Extension request letter received: 10/25/23
- Board of Supervisors Decision to send Solicitor and Zoning Officer to Zoning Hearing:

11/21/23

• ~~Zoning Hearing Board Hearing: 1/11/2024~~

Zoning Hearing Board Application ZHB 2023-5: Mark Calloway

1247 River Road, UBE. TMP 44-009-004. Zoned Residential Conservation. 1.93 AC. The applicant requests relief to construct a pole barn in setbacks and floodplain.

- Application Received: 7/17/23
- Extension Request Letter Received: 7/19/23
- Planning Commission Review: 9/26/23
- Board of Supervisors Decision to send Solicitor to Zoning Hearing: 10/3/23
- **Zoning Hearing Board Hearing: held 10/26/23 continued to 2/8/24**

I. Public Comment:

Many of our roads flank creeks and could Public Works and work with private citizens to clean out creeks to keep the debris from washing into the roadway. Trees fall and then the debris is in the roadway. PennDOT sent out a crew to clean up PA roads but sometimes they throw it in the creek.

Some piles of fallen trees are massive and need equipment to clean the streams and creeks.

Rich Rosamilia will discuss it with Doug Skelton and see what they can do.

Golden Pheasant bridge was struck again by a truck in early December. Truck damaged it. The Township has fined where they could, police have tried to curb truck traffic. The Hollow Horn traffic has increased and the cars are driving too fast for the width of the road and erosion to road condition.

Eleanor Breslin suggested to Chief Madden to do speed monitoring and enforcement, signage for blind curves, etc. Chief Madden will see how long it will take to get the signage that was approved already. Chief Madden put out calls to redirect trucks at a northern point.

Rich Rosamilia stated a Township Representative should attend a Joint Bridge Meeting.

Cindi Gasparre, can you reduce the public comments are getting too lengthy and can you consider the public who joins in via zoom to the meetings?

Road Surface Issues: Chris Dardaris, resident of Bunker Road, regrade and ash has built up in the culverts. Aggregate and multi-surfaces is making the road unpassable. Rivulets and now they regraded it but now it is just mud. The aggregate is a new mixture DSA or Penn mix from local quarry. The composite makes the bond to the road surface.

Jim Helms said they can ask Doug to use the mix of gravel aggregate and get a grant to fix it when it rebuild the road. Rich Rosamilia said the Township has a Liquid Fuels Funding used to maintain the roads with regular quarry materials. The dense graded aggregate comes from grant money. Elinor

Breslin, the general fund provide money for regular maintenance but the grants are applied for regularly for roads that have repeated needs. The use of grants to help keep our taxes lower.

Does the Township have a basic standard for our township roads? Rich Rosamilia stated that all the roads are monitored but we welcome the calls of residents to alert us to needs. Grants allow us to get more money to maintain the roads that are continually affected by the weather, water, rain, etc. Rich Rosamilia will drive with Doug to see Bunker Road.

Golden Pheasant Bridge: Kathy Auerbach asked about the Golden Pheasant Bridge plan to fix and timeframe. PennDOT will do the repair and it will be the same repair and they have done in the past with the same contractor. Mason wall will have to be replaced. Signage will be posted about detour and Castle Winery is open. Truckers need to have a way to get out or turn around.

Thank you to our Township Volunteers: Kathy Auerbach wanted to “Thank” to all who volunteer in our Township Offices, TCA, and other non-profits who serve our area.

Delaware River Keepers: Anita Nolan reminded the need of creek and stream maintenance and suggested to contact the Delaware River Keepers works on special projects to assist with creek clean ups for residents, especially near driveways, bridges, and roadways.

Road Conditions: Wes Swope, resident, can the Township repair and patch the large cracks forming on Shull Farm Road and Erwinna Valley Way before they get even worse and will cause more expense. Trees on another resident’s property inhibit sight lines for driving and clear visuals around curves. Chief Madden will take a look and follow up.

Congrats to Jim Helms: John Cole congratulates Jim Helms for his six years of service of the Township. Public service requires sacrifice and years of service and commitment. Jim Helms, it has been a long and short six years. It has been a pleasure to serve and I’ve learned a lot by working with the staff, the Town Solicitor, Steve Harris and the police Chief Madden. It is not easy but it has been an honor.

Adjournment:

Motion to adjourn the meeting at 9:51 p.m.

Motion by: Helms. Second by: Breslin. All in favor (3).


The next meeting of the Board of Supervisors is scheduled for January 9, 2024, at 7:30 p.m.

TINICUM TOWNSHIP BOARD OF SUPERVISORS

Jim Helms, Chairperson



Eleanor Breslin, Vice-Chairperson



Richard Rosamilia, Member