

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

ELEANOR BRESLIN, CHAIRPERSON
JOHN COLE, VICE-CHAIRPERSON
MICHAEL KAUFFMAN, MEMBER

TINICUM TOWNSHIP BOARD OF SUPERVISORS EXECUTIVE SESSION ON APRIL 1, 2025 AT 6:30 PM – Litigation

TINICUM TOWNSHIP BOARD OF SUPERVISORS BUSINESS MEETING MINUTES APRIL 1, 2025 7:00 PM

Call to Order

Pledge of Allegiance

Role Call: EB Yes, JC Yes, MK Yes, SH Yes, CG NO, JD Yes

Rules of Engagement & Community Engagement Standards Apply at all Meetings.
All Public Comment should be reserved for Public Comment portion of the meeting.
Please come up to the microphone and write your name on the sign-in sheet.

In attendance: Eleanor Breslin, John Cole, Michael Kauffman, Judith Danko and Township Solicitor Scott Holbert were present at the meeting. Curt Genner, engineer was not needed at this meeting.

Chairperson Breslin called the public meeting of the Tinicum Township Board of Supervisors to order at 7:02 PM, followed by the Pledge of Allegiance. The meeting, held in the Tinicum Township building meeting room, was live-streamed on Zoom and recorded. There were approximately 10 people present, and 7 people viewed it online.

A. Announcements (video time: 19:01:14):

1. Executive Session held on 3/14/25 at 8:30 am regarding litigation.
2. Special Meeting held 3/27/25 from 4:30 pm until 7 pm regarding Upper Bucks Regional EMS, specifically regarding Tinicum Twp Ambulance Services.
3. Executive Session held this evening at 6:30 pm to discuss litigation, specifically, matters pertaining to the Sand Castle Winery, and Oak Grove.

B. Public Comment (video time: 19:02:02):

Amy Hollander, Historic Resources Manager for Bucks County Parks & Recreation, and in particular, in charge of all program events and buildings at the Erwin Stover House and Stover Mill and Barns. Amy thanked the BOS for the letter of support with regards to the planned America 250 Heritage event on May 16, 2026. She gave a brief report on the activities to date. She said that the Palisades School District will be partnering with them for this event, which will include an art exhibit, period musical concerts, and other projects. She also received a letter of support from Visit Bucks County and is working with local businesses to develop the event. Ms. Hollander said they are at the initial stages and she is hoping to have a planning meeting at the end of April. She explained that the best way to coordinate with all partners involved will be via monthly Zoom meetings, and she would like to set up regular monthly meetings with the steering committee and the Township Historical Commission, which later on may become quarterly meetings. She added if anyone from the Township is interested in getting involved to please reach out to her. The link and her contact information is on the Township Website and our events page.

C. Police Chief's Report (video time: 19:05:45):

Chief Madden said that Tinicum Township Police Department reported 283 incident reports for the month of March, 74 were for service, 70 were investigative or criminal including two theft reports, one fraud report, one warrant arrest, and one arrest for possession and resisting arrest, 126 were for traffic, and 13 were for court and training.

There were no reportable crashes in March. We had an average of 1 reportable crash for March over the last five years.

Officers conducted 14 truck details on River Road. Two trucks were reported on River Road and both drivers were cited.

Chief Madden said she followed up with PennDOT regarding the pavement study and signage, and there is still no update as of this day,

They are currently participating in a statewide aggressive driving initiative through April 27. This enforcement wave focuses on distracted driving and speeding with the goal to reduce the number of aggressive driving related crashes, injuries, and deaths on roadways throughout the state.

PennDOT conducted an engineering and traffic study for the intersections of Cafferty Road and Geigel Hill Road at the request of the township. Based on the findings in the study, roadway characteristics, field observations, and crash history, it was determined that all-way stop control warrants are not satisfied for either leg of the intersection. PennDOT did not some sight distance restriction on the western leg of Cafferty Road. In response, letters have been sent to the homeowners requesting that they remove the vegetation and the police have already received some responses.

The eastern intersection had no sight distance restrictions and had at least 500 feet of site distance.

LTAP completed their traffic study relating to truck traffic at the intersection of River Road and Cafferty Road. This was in response to the church's building getting struck with trucks turning on to Cafferty Road. There are several low-cost items the Township can consider,

including additional truck restriction signage at the intersection, and flexible delineators to realign the intersection. This would require approval from PennDOT since it intersects with a State Road, and the approximate cost to the Township would be \$733.44 including labor by our Public Works Department. Chief Madden said in her opinion, this would be the best step to start with if the Township approves. She explained that a flexible delineator is more or less a white stick in the ground that is flexible, so if it is hit by a car, it moves. It is mainly to realign the road so cars know where to turn.

Chief Madden announced several upcoming events:

Ice Cream with the Cops is scheduled for Friday, April 18, 2025, from 2PM to 4PM at OWOWCOW, where free ice cream will be provided to all children, this event is sponsored by the Police Foundation.

The drug takeback scheduled for Saturday, April 26, 2025, from 10am to 2pm at Wehrung's Home Center.

The first responder event has been scheduled for Saturday, August 16, 2025, from 1pm to 4pm at Delaware Valley Fire Company.

Nova is hosting an online training on Wednesday, April 9, 2025, from 6pm to 6:30pm on sexting and sextortion and how to talk to your teens about the dangers of online exploitation. The link for the webinar is on their website as well as on Facebook.

The spring mailer for the Police Foundation will be sent out this week, which includes all events for the year, what they have funded already and their goals going forward.

The Police received a new docking station and batteries for portable radios from Bucks County, which was obtained through a Department of Justice grant.

They have also installed the automated license plate reader on Officer Barrington's truck, which was purchased through the Police Foundation. The cost for the total project was \$12,795.44. The automated license plate reader collects vehicle data by using two high-resolution cameras to capture and analyze license plate information. This data will assist law enforcement in tracking stolen vehicles, identifying suspects, and supporting criminal investigations.

D. Manager's Report (video time: 19:11:10)

Ms. Danko made some announcements:

The American Red Cross blood-drive will take place at Point Pleasant Baptist Church on Thursday, April 3, 2025, from 2pm to 7pm. The link to sign up is on the Township website, which also includes alternative dates.

Volunteers are needed for seasonal park cleanup on April 5, 2025, from 9am to 11am at the Tinicum Community Park, with a rain date of April 6, 2025. Please email Parks and Recreation's chair person, Terry Johnston, and this information is also on the Township website.

The EAC is hosting an Earth Day Fair on April 27, 2025, from 11am to 2pm at Tinicum Park.

Lights Out – spread the word to create awareness, turn off your outdoor lighting to decrease light pollution and support the migrating birds in the spring and fall.

Primary election will be held on Tuesday, May 20, 2025, from 7am to 8pm. One of the voting places will be the Township office, which will be closed for business, but open as a polling station.

The updated senior citizens calendar is available on the Township website and the bulletin board.

Ms. Danko said that the computer technology of the office will be updated starting Thursday late afternoon into Monday next week, and during that time, the zoning and code department will temporarily be without some computers, and she hopes that things will be up and running by Tuesday.

Sealed bids advertisements for the sealing of the township roads will be placed out to bid.

1. Engineer's Report (video time: 19:14:40)

Ms. Danko said the engineer's report discusses subdivisions and preliminary land developments that they are currently working on. The study also talks about some truck studies and evaluations, the continuing work on the Golden Pheasant bridge as well as some other bridges in the township, and the municipal complex that is being proposed. They are still awaiting an answer on the \$1 million LSA grant they applied for and expect to hear back in September 2025.

2. Public Work's Report (video time: 19:15:40)

Ms. Danko said there are several roadways that the Public Works Department is working on, doing grading and fixing potholes on several roads in the township.

Ms. Breslin gave an update on Headquarters Road Bridge. She said that the township submitted a GP11 (general permit) application to DEP for the historic rehabilitation of the Headquarters Road Bridge in December 2024. The permit was issued, then rescinded, a new submission was made within a few weeks. Since the beginning of the year, the township engineer has been very engaged in answering all the questions that DEP has raised, which included a number of follow-up questions. As of this afternoon, DEP has every information they have asked for, and we are awaiting their determination.

At the last BOS meeting, the authorization of the bid package had been approved, so the township is ready once the permit is issued. Ms. Breslin said that we are getting close to missing out on this year's construction season, which is not where we wanted to be, but the cause of the delay is squarely on DEP's side. The reason for DEP's delaying is the legacy that the years of litigation have DEP was involved in and they do not want to do anything that would leave them open to litigation and therefore are extremely

conservative in the review of our general permit application. However, the Township fully satisfies the criteria for the permit to be issued, Mr. Cole and Ms. Danko added that the township has submitted everything the DEP has asked for multiple times, and we also have the clearances from the PHMC, US Army of engineers, and all the other agencies who have input have approved it.

E. Solicitor's Report (video time: 19:21:50):

Mr. Holbert had nothing to report this month.

F. Consent Agenda Items for Consideration by the Board of Supervisors (video time: 19:22:06):

[Items of business and matters listed under the Consent Agenda are considered to be routine and non-controversial and will be enacted by one motion and one vote. There will be no separate discussion of these items. IF discussion is desired by Board Members, that item will be identified and removed from the Consent Agenda and will be considered separately at the appropriate place on the agenda.]

1. Board of Supervisor's Business Meeting Minutes from March 4, 2025.
2. Treasurer's Report for February 2025.
3. Payroll Report for March 2025 in the amount of 86,653.30.
4. Disbursements for March 2025. General Fund \$220,594.47, State Fund \$4,234.31 and Escrow Fund \$831.98, Escrow Management Fund \$3,490.17.
5. Consideration of request from Haycock Township for fire police assistance from DVVFC for the 5/18/25 Independent Triathlon and for 8/3/25 Steelman Triathlon at Nockamixon State Park.

Motion to approve all consent agenda item numbers #1 – 5 in one motion was made by Michael Kauffman and seconded by John Cole. (All in favor, 3).

G. Action Items for Consideration by the Board of Supervisors (video time: 19:23:30):

1. Consideration of 703 River Road, Fence in the PennDOT Right-of-Way, TMP No. 44-026-008.

Mr. Holbert stated PennDOT approved the fence in 2024 but it does not meet the Township Zoning ordinances; the Zoning Officer approved the application in December and then rescinded the approval due to error. There have been complaints from residents about the fence being too close to the road and in the way of sight lines at the corner of Stagecoach Road. Our Zoning Officer will need to review photos and prior fence location and the ZHB may have to make a determination. The fence was only replaced, it has been there for years. The homeowner may need relief from the zoning board. There was no permit for the replacement of the fence at the time.

The property owner, Ms. Sandra Sutton-Lavis, was hoping that PennDOT's approval was enough. The fence was in disrepair, she replaced it with the same exact fence.

She said she was able to find and submitted pictures from Google maps for at least 20 years showing the fence in that location, which the previous zoning officer had accepted. When she was sent a violation order, she immediately worked with PennDOT, but it takes time to get PennDOT to approve the fence. She was asked to submit the permit and pay \$100 application fee. Then she received a letter from the township informing her the application was approved, and later got a letter saying the approval was sent in error. Mr. Holbert said the township had made an error and was in the full right to rescind the first letter. Ms. Sutton-Lavis said she replied to everything in a timely manner and she simply replaced the existing fence in the same exact location.

Ms. Danko said there were complaints about site triangle of people coming to the stop sign. The fence was hit several times. Ms. Sutton-Lavis said that it was hit by snow plows going down the road at speed. The posts will be replaced, and she paid for it.

Mr. Holbert said there is no need for action to take tonight. This issue will go to the zoning board, they have to make a decision, relief can only come from zoning hearing board.

2. Consideration of Stormwater Facility Operation and Maintenance Agreement for 61 Ropewalk Road, TMP No. 44-005-094.

Mr. Holbert said the property owners are planning to construct a pool, which will increase the impervious surface. In this case, stormwater facilities are required, and this is standard procedure.

Motion to approve the Stormwater Facility Operation and Maintenance Agreement for 61 Ropewalk Road, TMP No. 44-005-094 made by John Cole and seconded by Mike Kauffman. (All in favor, 3).

3. Consideration to advertise to seek Seal Coat Bid packages for 2025.

Motion to approve the advertisement to seek Seal Coat Bid Packages for 2025 made by John Cole and seconded by Michael Kauffman. (All in favor, 3).

4. Consideration to award Plumstead Materials bid for materials listed below per ton for Tincum Township based on the Bucks County Consortium bids: Screening/Quarry Grit \$12.00; 1B-1/2" Stone \$31.95; 2B 3/4" Stone \$21.95; No. 4 Ballast Stone \$22.50; No. 2A Stone Mix \$14.00; R-4 Stone \$22.50; R-5 Stone \$25.45; R-6 Stone \$28.00; R 7/R-8 Stone \$38.00.

Motion to approve and award Plumstead Materials Bid for all materials listed above made by John Cole and seconded by Michael Kauffman. (All in favor, 3).

5. Consideration to adopt the proposed Ordinance #272 Amending section 809 of the Tinicum Township Zoning Ordinance to permit only closed loop geothermal systems.

Mr. Cole added that open loop systems are inappropriate for our fragile aquifer. This ordinance has been reviewed by the Planning Commission, sent to the Bucks County planning commission for review, and advertised accordingly.

Motion to adopt the proposed Ordinance #272 Amending of section 809 of the Tinicum Township Zoning Ordinance to permit only closed loop geothermal systems made by Eleanor Breslin and seconded by John Cole. (All in favor, 3).

6. Consideration to adopt the proposed Ordinance #273 Amending section 201 of the Tinicum Township Zoning Ordinance, as amended to revise the definition of lot area and providing a definition for lot area within a qualifying improvement.

Mr. Cole said the existing ordinance was ambiguous for purposes of calculating lot area impervious surface and what to include in the determination of lot area when doing a qualifying improvement. This amendment was drafted, reviewed by the Planning commission, sent to the Bucks County planning commission for review, advertised, and is ready to be adopted.

Motion to adopt the proposed Ordinance #273 Amending section 201 of the Tinicum Township Zoning Ordinance, as amended to revise the definition of lot area and providing a definition for lot area within a qualifying improvement made by Michael Kauffman and seconded by John Cole. (All in favor, 3).

7. Consideration to adopt the proposed Ordinance #274 Amending section 900.03 of the Tinicum Township Zoning Ordinance, as amended to revise the impervious area requirements for otherwise non-conforming lots and making the lots conforming if they meet certain criteria.

Mr. Cole said this issue is almost connected with number 6 of today's agenda. The amendment is designed to loosen up restrictions on smaller properties so they are more fairly able to make minor changes on their properties. Mr. Holbert added that there was too much of a restriction on smaller lots, and now it will be the same for all lots. This amendment was in reaction to some issues in Ottsville where property owners cannot put in walkways or patios without asking for a variance.

Motion to adopt the proposed Ordinance #274 Amending section 900.03 of the Tinicum Township Zoning Ordinance, as amended to revise the impervious area requirements for otherwise non-conforming lots and making the lots conforming if

they meet certain criteria made by Michael Kauffman and seconded by John Cole. (All in favor, 3).

8. Consideration of Township Committee Appointments.

Motion to appoint Melissa Gustafson to the Planning Commission for a 4-Year Term expiring on 12/31/28 made by Eleanor Breslin and seconded by John Cole. (All in favor, 3).

H. Public Comment (video time: 19:43:03):

Kathy Auerbach, resident, thanked Amy Hollander for doing the heavy lifting with the application and preparation for the 250-year celebrations. She added they are thrilled to work with the school, which is so critical in expanding enthusiasm about our history.

She added that there will be a Spring Festival at the Erwin Stover house on May 3, 2025, and a Lenape Chamber ensemble concert at UTLC on Friday at 8PM and on Sunday at DelVal university.

Ms. Auerbach asked about an update on the historic bridge projects and whether the township is contemplating a resolution to protect our historic bridges. Mr. Kauffman responded that will be discussed during next Monday's historical commission meeting.

Amy Hollander added that the Erwin Stover house and barns is run by the county, and it is open every weekend from 12pm to 4pm for historic tours through the summer. This year's spring festival on May 3rd will have a revolutionary war theme with reenactors, musket drills, a food waste specialist to discuss food in colonial times, a maypole, dancers, and the Tinicum players. In addition to the historic tours, there are also monthly evening gatherings at the house so you can step back in time and experience colonial life. The next event is scheduled for mid-May and will feature the 1790 whisky rebellion. All events are free. Information can be found on the Township's parks and rec page, on the Erwin Stover site. Ms. Hollander said that the Stover Mill on Dark Hollow Road will be open again from June through September. The mill had suffered a lot of water damage, which required considerable restoration work inside and also on the roof.

Tim Cashman, resident, said that the BOS had told the residents that it will not be an issue getting the permit for Headquarters Road bridge, however, what we know now is that PennDOT said we will not get the permit, so there will be significant delays with the construction timeline. A review is scheduled for July 21, 2025, where the entire process will be reviewed. That could mean it will be delayed even further. The residents had been promised a bridge in January 2026, and he asked the BOS why they did not take the other option when they voted on this matter, and why they did not inform the public of the resulting delays.

Kathy Auerbach stated that contrary to Mr. Cashman's statement that the Headquarters Road bridge is a historic bridge, it is listed in the national register and a letter was issued verifying its historic significance.

Tom Quinby, resident, stated that he wanted to make an observation regarding the ordinance on setbacks of fences. He said that fences do not grow. The Intersection of Jugtown Hill and River Road used to be a wide-open lawn, but people bought land there and decided to add shrubs that have grown. It used to be fairly easy to enter River Road from there, but not anymore. He added that if we can be lenient on a setback of fence where it does not obstruct, hopefully we can be lenient on this matter.

Chris Porter, full time paramedic with UBREMS, said he was here to speak on behalf of the community since several individuals have expressed confusion on what is going on. He wanted to relay the importance of having two stations here in UBE, mainly because people understand that the 141 Springfield location sends ambulances to go over to Quakertown. He said that without that station the other truck will be doing all of the work, that is just how the mutual aid works with the individual EMS agencies.

Mr. Porter emphasized that the two-station model protects us and he warned of the actual harm that having only one station can lead to.

I. Supervisor Comments (video time: 20:00:15):

Mr. Kauffman said he would like to thank everybody who makes Tinicum work: public safety, fire, EMS, office staff, road crew, and all the volunteers.

Mr. Cole announced that the Stover Mill Gallery will begin their summer season with a two-artists show opening on April 5th, and the reception will be on Sunday. This show will run every Saturday and Sunday of April from 1pm to 5pm and is a free event.

Mr. Cole said he wanted to respond to Mr. Cashman's question. It should not be a surprise to anyone that he voted the way he did, because he maintained the same position since the very beginning of this process in 2008/2009. The original plan from PennDOT was to basically straighten out the bridge and run straight across Mr. Gidumal's field, which was met with a lot of opposition. PennDOT then came back with another plan with the realignment of the bridge the way it is right now. He found the design artist's conceptions very acceptable. He said he was of the opinion that PennDOT should be allowed to build the bridge they want, unless those who want it restored the way it was, come up with the money up front. The township in order to make this happen had to take back the bridge. He wrote a letter in March 2021 clearly stating his opinion and ran his election on it, which he won. So it should not be a surprise how he voted.

Mr. Cole went through the timeline of applying for the permit (December 26, 2024), submitting to the PHMC and the Army Corps of Engineers, who all signed off on it, and receiving the permit on December 24, 2025. Then it was rescinded in the middle of January. Mr. Cole said that even Mr. Cashman had come up here and said several times that all the permits had been received and PennDOT was ready to go.

Mr. Cole said that never in his wildest dreams did he think that the Department of Environmental Protection, which was OK with issuing a permit to PennDOT to tear into the bank and redo everything to the stream bed they were going to do, would then decide they are not really sure about this rehabilitation project.

Mr. Cole said what bothers him is that Mr. Cashman is looking at the Board in an adversarial way but we are not the ones who are stopping this process. When Mr. Cole voted for this, he saw this as the best and most efficient way to solve the problem. He said he suggests for Mr. Cashman to go to the DEP, or to go visit his state representative, and he would be willing to go with him, demanding that Shelby Labs become much more engaged in this process and figure out what is the reason for the DEP holding up the permit process. We have provided everything they asked for twice or three times, and now they won't answer our emails any longer. The Board is not his enemy, instead he is asking for Mr. Cashman to help us get done what needs to get done to put some pressure on the DEP to get the permit.

Ms. Breslin said that for a full recap of why the decision was made when it was made back in February of 2024, anyone can go and watch the video recording of that meeting and see the presentation from PennDOT, the expression of support of the historic rehabilitation of the bridge from the River Keeper Network, the presentation from the Woodtiger Fund, and hear the rationale of all the supervisors who were there to take a vote. The proposed rehabilitation project was specifically designed to meet the Secretary of Interior's standards for historic properties. It has been approved by the US Army Corps of Engineers, the National Park Service, the Pennsylvania Historic and Museum Commission, and the Pennsylvania State Historic Preservation Office. It is the Township's position that we have fully and comprehensively answered all of the Department's comments on the pending GP11 permit application. We have urged them today in writing and we are urging them now to issue the GP11 permit for the Headquarters Road bridge promptly.

Ms. Breslin added that with regards to UBREMS, we had a two and a half hour meeting last week, which even though it was not a business meeting, but to make the information available to the community, has been recorded and the video is available on the township's website. She has already been contacted by an elected official from a neighboring township thanking us for having that meeting and thanking us for recording it, and for collecting and discussing all that information openly and making available to anyone.

Ms. Breslin said she would encourage everyone to join our EAC on April 27 from 11am to 2pm at the Tinicum Township Community Park for this year's Earth Day Fair. Last year the township approved working with Penn State's local climate action program, and we have a graduate student from Penn State who has been working with the EAC to develop a local climate action plan for the township, and she will be there to answer questions. Food will be provided.

J. Adjournment – Motion to adjourn 8:17 pm.

The Board of Supervisors next Business Meeting is scheduled for Tuesday, May 6, 2025 at 7:00 pm in the Township Building.

DATE: 5/06/2025

ATTEST TO:

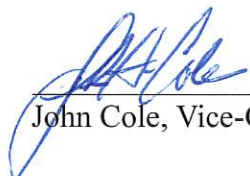


Judith Danko, Township Manager/Secretary

TINICUM TOWNSHIP BOARD OF SUPERVISORS



Eleanor Breslin, Chairperson



John Cole, Vice-Chairperson



Michael Kauffman, Member