

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 BUSINESS MEETING MINUTES May 6, 2025 7:00 PM

Call to Order

Pledge of Allegiance

Role Call: EB Yes, JC Yes, MK Yes, SH Yes, CG YES, 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, Curt Genner, Engineer and Township Solicitor Scott Holbert were present at the meeting.

Chairperson Breslin called the public meeting of the Tinicum Township Board of Supervisors to order at 7:00 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 20 people present, and 10 people viewed it online.

Ms. Breslin , apologized for the technical difficulties that occurred during the beginning of the meeting. Audio/video were not working at the start of the meeting through the announcements and for the first public comment made by Mr. Salamun. Video began at Mr. Salamun's comment but the audio was absent and then audio was restored from that point on to the end of the meeting.

A. Announcements

1. Executive Sessions were held on 4/9 at 4:00 PM, 4/22 at 10:00 AM, 4/23 at 2:15 PM, 4/24 at 10:00 AM and 4:00 PM, and 4/29 at 10 AM via virtual meetings.
2. Thank you to the EAC for the 3rd annual Earth Day Fair at Tinicum Community Park. Ms. Breslin was thankful to the EAC for their set up and continuation of a great event to celebrate the Earth and keep the spotlight on awareness and issues. Ms. Danko thanked the EAC stating that nearly 100 people attended and it is growing every year.

B. Public Hearing

Eleanor Breslin opened the Public Hearing for 140 Bunker Hill Road. Stenographer was present, The Applicant spoke briefly and the applicant thanked Scott Holbert for continuance. No one was present to oppose.

1. Consideration of Conditional Use Application for **140 Bunker Hill Road, TMP No. 44-5-13**. Public Hearing was advertised 4/22/25 and 4/29/25 and reviewed by the Planning Commission on 4/8 & 4/22/25.

Motion for a continuance set for June 24, 2025 (correction review at PC meeting on May 27 and Considered at BOS meeting on June 3 per SH) of the Conditional Use Application for 140 Bunker Hill Road, TMP No. 44-5-13 was made by Eleanor Breslin and seconded by John Cole. (All in favor, 3).

Headquarters Road Bridge Announcement was then made:

Special Announcement concerning Headquarters Road Bridge was made by Ms. Breslin, who shared the long-awaited news that the Tinicum Township has officially received the G-11 Permit letter from the Department of Environmental Protection.

C. Public Comment

Mr. Salamun thanked the Board of Supervisor for getting the G11 permit and persevering through the process with DEP and PennDOT over the years. (Video recording began here, but Audio was not working during his comments).

(Audio was restored from this point forward) Mr. DeGroot thanked the Board of Supervisors for their accomplishment of obtaining the G-11 Permit. Mr. DeGroot wanted to inform the Board of Supervisors and the residents of what is taking place at the Sandcastle Winery who is now owned by a large Philadelphia Event Planning Company who are making changes and building without permits and modifying the land, driveways and property. He said there were concrete trucks pouring foundations for a 40 by 50 sq ft. pavilion and do other work without any permits. He had reached out to the township manger, Ms. Danko. When there were weddings occasionally held at Sand Castle in the past the noise echoed through the valley. The old winery did not have a permit to be an event space, and he would like to ask the township what can be done to stop this before it becomes an issue. He also said that the roadway up to the winery that is paved now, was an absolute washout last weekend due to the earth moving activities taking place without authorization. There are a lot of issues with that property, and he asked the assistance of the Board of Supervisors. Ms. Breslin thanked Mr. DeGroot for bringing this to their attention over the weekend. Ms. Danko confirmed that there had been significant activity on the property without any permits, and she also thanked Mr. DeGroot for his help and information so they could act. The township has presented a stop work order to the owners, the only permit they had was for the demolition of the interior. As of today, she contacted the Bucks County Conservation District with photos that Mr. DeGroot had provided, and she also alerted the County Department of Health because of the septic situation. An email was sent to the owners about all these issues raised and a sign will be posted at the property tomorrow.

Mr. Cashman, resident, was asked by Ms. Breslin to hold his question until Mr. Genner will give his report on the Headquarters Road bridge update later this evening.

D. Police Chief's Report (video time: 19:21:33)

Chief Madden said that Tinicum Township Police Department reported 242 incident reports for the month of April, 52 were for service, 52 were criminal or investigative including three DUI arrests, two tobacco violations, and one theft report. 121 were for traffic, and 17 were for court and training.

There were three reportable traffic accidents in April: a single vehicle crash on Geigel Hill Road was DUI related, a three-vehicle crash on Easton Road was due to driving too closely, and a single vehicle crash on East Dark Hollow was DUI related. We had an average of 2 reportable crashes for April over the last five years.

Officers conducted 15 truck details on River Road. Three drivers were cited and there were no bridge strikes last month.

Chief Madden said the new signage is up for the River Road restrictions. Signs have been posted at the intersections with the Milford bridge, Uhlerstown Hill Road, Headquarters Road, all in the southbound direction. There are also signs at East Dark Hollow and Stagecoach Road heading northbound.

She said she also sent a request to PennDOT for a traffic study at East Dark Hollow Road at the intersection with Smithtown Road due to two recent reportable crashes there.

Chief Madden said that last month's "ice cream with a cop" event at Owocow had a great turnout, and 66 ice creams were purchased for kids and there was a line out the door the whole time. The police also had a successful drug takeback at Wehrungs where 10,303 pounds of medication and over 1,000 pounds of sharps were collected.

This month there will be Wehrung's anniversary sale on May 17 from 10AM to 3PM, there will be free food and activities for the family. Officers will also be meeting with Tinicum Elementary students to showcase some of their equipment, including the new cars and their new drone.

E. Manager's Report (video time: 19:24:37)

Ms. Danko said this evening we have our duly advertised seal-coat bids that were opened on April 24 at 12:15 PM, they have been reviewed and provided to the BOS to be awarded to the lowest qualified bidder.

She thanked the team for the GP11 permit and the hard work everyone put into it.

She welcomed any new township volunteer committee members that may possibly be appointed this evening and said if anyone is interested in serving on the township, which is greatly appreciated, the information is on the website. She added that there is a lot of information on the website and invited the public to check it out.

The Township IT project is going well, they have a lot of new equipment in place. Next they will begin with the cloud project, which will take some time, and she thanked everyone for their patience. The township is now able to receive emails.

Ms. Danko thanked the EAC for hosting a successful Earth Day Fair, there were a lot of people in attendance.

She also thanked Matt Overbeck from the Public Works Department, who is leaving after two years of service. The township is advertising for PWD truck driver/laborer positions, and the information for that is on the website.

The annual rental registration is going on. If residents have rentals, they are asked to send in the required paperwork and contact Kathy Moreni for guidance if necessary.

They completed the workers' compensation audit with flying colors, and also have been collaborating with the bond company as the township's earnings calculations are right on track.

Ms. Danko said they started the township audit for the year 2024, which is going very well, and they plan to be done with that this Thursday.

a. Engineer's Report (video time: 19:28:23)

Mr. Genner gave a brief summary.

- Bunker Hill Road: there was an open conditional use hearing, but due to some revised information, the review is still under way, and this will be updated in June.
- 479 Headquarters Road: awaiting additional submission items from the applicant. There was a conditional approval recommendation made by the Planning Commission, but due to the revision it is TBD when this will come back to the Board.
- Headquarters Road Bridge: The main announcement was that we received the GP11 permit. We also received updated approvals from the National Park Service and the Army Corps, who said we can continue under the permit they already issued but they will amend it so we have everything matching the latest plan set. The township had already authorized advertisement and putting the bid package out. At this time we are in the process of coming up with bid quantities and finalizing the packet to put it out to bid in the very near future. So we are moving ahead on this project.

Ms. Danko added that the Public Works Department is diligently working on many roadway systems, and she listed the individual roads that were graded, updated, and where signage was added.

Ms. Breslin invited the public to ask questions and comments regarding the developments on the Headquarters Road Bridge.

Mr. Cashman, resident, asked what the expectations for a start date of the HQRD Bridge were. Mr. Genner responded that it will be put out to bid as soon as possible, then they will review the bids and it will be back to the BOS to select the contractors. It was originally on a condensed 9 months schedule, and he recommends to now turn it into a 12-month schedule as it will stretch over the winter months when some of the masonry work cannot be completed. So there will be a slight delay in the project, but he thinks it will be well before July 2026.

Mr. Genner, Engineer and our Solicitor, Scott Holbert made a statement referring to resident, Mr. Graber made earlier with regard to deed title transfer of the land and the Headquarters Road Bridge and they both reassured that this information will be reflected in the architectural drawings regarding deed title.

John Graber, resident, asked if there is an ALTA survey for the limits of construction on Headquarters Road. Mr. Genner responded that they do not have an ALTA survey, they have a boundary survey and the environmental clearances. Mr. Graber asked if they have a brief of title for the roadway. Mr. Genner said they have the turnback agreements and easements are under way with adjacent land owners. PennDOT will supply the title documents. Mr. Graber asked and he would like to take a look at what has been assembled to assure that our rights are ordained. Ms. Breslin asked whether the turnback agreement is on the website, and Ms. Danko said that it was, but she is not sure if they are there anymore.

- b. Public Work's Report – Township Manager gave report earlier with road work updates.

F. Solicitor's Report (video time: 19:36:38)

Mr. Holbert said he had nothing to report for today's meeting.

G. Moved Public Hearing to the beginning of the agenda item during announcements or before announcements.

H. Consent Agenda Items for Consideration by the Board of Supervisors: (video time: 19:36:50)

[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 April 1, 2025.
2. Treasurer's Report for March 2025.
3. Payroll Report for April 2025 in the amount of \$87,317.22.

4. Disbursements for April 2025. General Fund \$148,570.94, State Fund \$3,162.50 and Escrow Fund \$9,990.68, Escrow Management Fund \$2,233.12.
5. Consideration of fire police assistance from the Upper Black Eddy Volunteer Fire Company and for the Tinicum Arts Festival on July 12-13, 2025 from Saturday, 10am-6 pm and Sunday, 10 am -5 pm.
6. Consideration to authorize fire police assistance from Tinicum Township Fire Companies for the Quakertown Memorial Parade and ceremony May 21, 2025.
7. Consideration of the advertisement for the Public Works Department Driver/Laborer Positions.

Motion to approve all consent agenda item numbers # 1-7 in one motion was made by John Cole and seconded by Michael Kauffman. (All in favor, 3).

I. Action Items for Consideration by the Board of Supervisors (video time: 19:38:35):

1. Consideration to send the Solicitor to attend the ZHB #2025-1 application for 102 Ridge Valley Road, TMP No. 44-14-41-1.

Mr. Holbert explained that the PC reviewed this item. If the Board were to oppose it, it would be a legal argument. The ZHB is very receptive to the solicitor submitting a letter highlighting the Board of Supervisors position. The hearing is scheduled for May 22, and Mr. Holbert is not available that day. He suggested that a letter would suffice.

Mr. Tom Lynch, resident and owner of “Waiting on a friend animal rescue”, asked for clarification on the process. Mr. Cole and Ms. Breslin explained that the township routinely sends the variance request to the Planning Commission to review and provide recommendations to the Board as to what actions should be taken, which is only advisory in nature. Mr. Lynch elaborated that he has a small rescue, and that he would need a commercial kennel license if more than 25 dogs come through his rescue at one time. However, his operation is not a commercial kennel, it is a rescue. Last year 174 dogs came through his rescue, and the maximum he has is 15-20 at any one time. He keeps them in the basement and garage and takes them out in a fenced in area multiple times a day. All adoption events are held offsite. He has been operating this rescue since September 2023 without any complaints and nothing has required the police to come out, however, there had been one noise complaint recently to the Township that he was made aware of.

Mr. Holbert added there are three requests that are all dimensional that Mr. Lynch is seeking variance for the property is 2.2 acres rather than the required 5 acres for kennel land use, holding structures need to be more than 200 feet away

from the property line which is not the case, and the buffer yard requirement is also not being met. He has only volunteers working there.

Mr. Kaufmann asked if there was a way to restrict the “use as a animal rescue” to the current owner should the property be sold in the future and Mr. Holbert said that temporal conditions can be placed. The ZHB can restrict the property that way for any future purchase. Ms. Breslin added that the hearing will allow the review of letters, neighbors are invited to come to the ZHB hearing, and there is a strict set of criteria that will be applied to grant any variances.

Motion to have the Solicitor write a letter regarding the Township’s position regarding ZHB#2025-1 for the hearing scheduled for May 22, 2025 since he is not available for the scheduled date and to include in his letter the following considerations and recommendations from the BOS: noise control, odor control, no parking lots, this possible accommodation can only be for the current owner and not future owners, compliance with State laws for kennels, no events are to be held on property, normally 5 acres are required for this land use **made by Eleanor Breslin and seconded by John Cole. (All in favor, 3).**

2. Consideration of Stormwater Facility Operation and Maintenance Agreement for 55 Municipal Road, Rendezvous Farms, TMP No. 44-22-34.

Mr. Scott Drumbore explained the history of the property, which has been conserved with the Tinicum Conservancy, and allows the construction of a primary and an accessory residence. The existing duplex building will be raised. Mr. Drumbore said they are coordinating every step with the conservancy. The last required item was to receive the permit for the accessory building septic. The existing septic services the existing building. The septic application has been reviewed and they need to submit a waiver as they are proposing a micro-mound septic. This waiver is the last item they are waiting for, all other permits should be ready to be issued.

There was a detailed discussion on the plans for the construction of the two new residences once the existing duplex will be raised. The prior owner had a permit to improve the existing building, which was upgraded two years ago, and the new owner is now planning on building two homes. Ms. Breslin asked for more details on the new buildings. Mr. Jim Haines, the property owner, explained that the primary residence will be constructed in the spot of the existing building, it will be a 4-bedroom single family house, at a size of 4-5,000 square foot. The accessory dwelling is a 4,000 square foot home for his son and daughter in law. The entire property is 114 acres.

Mr. Genner said most permits have been issued, only a few are still outstanding, which includes the stormwater permit, and they will have to address the waiver.

Mr. Drumbore said that his preference would be for the Township to go through the permits all at once. He has put together a permit package so this can be addressed.

Mr. Holbert added that if there are any changes to the current agreement, the risk is on the resident, and he recommends for the BOS to move forward with what is in front of them tonight.

Mrs. Kathy Auerbach, resident, wanted to know the age and condition of the existing duplex. Mr. Haines said there are several buildings on the property, constituted by pole barns, bank barns, equestrian sheds, and an older house, which is from the 1970s. The original farm home is across the street, which was separated from his property years ago.

Motion to approve the Stormwater Facility Operation and Maintenance Agreement for 55 Municipal Road, Rendezvous Farms, TMP No. 44-22-34 made by John Cole and seconded by Michael Kauffman. (All in favor, 3).

3. Consideration of Stormwater Facility Operation and Maintenance Agreement for 21 Tettermer Road, TMP No. 44-015-006.

Mr. Holbert explained this is similar to the prior item, with the next steps in the permitting process to be taken. The agreement has been reviewed by Mr. Genner and is ready to move forward. Mr. Genner said there was a clause in the agreement that should say "as amended" in order to reference the latest MPDS permit. Mr. Holbert said he will ensure the agreement will reference the latest plan date.

Ms. Auerbach expressed concern with the property because this is a historic prime site and the plan is to build another house up top. She said the access is very steep and not passable by car. The footprint of the proposed house is enormous. In addition, they will build a pool, a pool house, the landscaping around that, and the driveway goes down some excessively steep slopes straight to the creek. She was concerned whether the calculations for the impervious surface have been accurate; there is serious concern about the water coming down the driveway, similar to the Sand Castle Winery. She said even if the driveway is to be paved, there will be a serious problem that will impact our streams, which result in increased flooding that could jeopardize the historic house. She also questioned how this might function with the construction activity going on, similar sized constructions by the

same builder had 30+ vehicles around the construction site. She was asking the BOS to give this serious consideration.

Mr. Genner responded that this had been reviewed for compliance with the township ordinance as well as by the DEP in accordance with the individual MPDS permit because of the watershed, and there are stormwater controls which have to show they provide a reduction in the runoff rate from post development to pre-development in order to obtain these approvals. Ms. Breslin asked whether the runoff rate accurately reflects the slopes Ms. Auerbach provided, to which Mr. Genner responded yes, the calculations include all this. This is a conserved property and there are a lot of stormwater management controls that are being installed. They are covered under part of this agreement which gives the township the ability to monitor the property as well as give the township the ability to make sure the stormwater facilities are up to par.

Motion to approve the Stormwater Facility Operation and Maintenance Agreement for 21 Tettemer Road, TMP No. 44-015-006 made by Eleanor Breslin and seconded by John Cole. (All in favor, 3).

4. Consideration to award the 2025 Seal Coat Bid to the lowest qualified bidder, Asphalt Maintenance Solutions (AMS), in the amount of \$124,539.68.

Ms. Danko said after this had been placed out to bid, the township received two bids. The bid by Asphalt Maintenance Solutions was \$6,000 lower than the other bid. She then listed the roads to receive treatment: Cafferty Road (Upper), Ropewalk Road, Rock Ridge Road, Tammany Road, Clay Ridge Road, Beaver Run Road, Sunset Drive and one Cul-da-sec.

Motion to approve and award Asphalt Maintenance Solutions (AMS) for Seal Coat Bid made by John Cole and seconded by Michael Kauffman. (All in favor, 3).

5. Consideration of appointments to the Historical Commission and Parks and Recreation Township Committees.

Motion to appoint Robin Lochner to the Historical Committee for a three-year term expiring on 12/31/27 made by Eleanor Breslin and seconded by Michael Kauffman. (All in favor, 3)

The BOS wanted to wait until the next meeting to consider a Parks and Recreation Commission appointment.

6. Consideration to have Solicitor to draft an amendment to our Zoning Ordinance concerning standards for variances as recommended by the Tinicum Township Planning Commission.

Mr. Holbert explained there are certain standards for seeking a variance. The Planning Commission recommends we amend our standard to eliminate some language that does not necessary conflict with the MPC but adds language that is not existing in the MPC, but after reading it, Mr. Holbert says our standard conflicts with law and certain language should be removed. Ms. Breslin said she supports making sure our ordinances comply with the law.

Motion to have the Solicitor to draft the Zoning Ordinance Amendment bringing our zoning standards for variances in alignment with the MPC was made by Eleanor Breslin and seconded by John Cole (All in favor, 3).

J. Public Comment (video time: 20:28:00)

No further Public Comment was made.

K. Supervisor Comments

John Cole thanked Mr. Genner, the two attorneys working this case (Mr. Holbert and an environmental attorney who worked with the township), and thank you to Rep. Shelby Labs office, that intervened twice on the township's behalf, the DEP who gave us the time to meet and present our case and to our engineer who came up with the ultimate solution, and finally Mr. Bruce Wallace and Woodtiger Fund, who provided the financing for the bridge rehabilitation, and also Mr. Gidumal who promised to provide the permits necessary to get the work done.

Mr. Cole said he is still doing some research on the EMS situation. Springfield and Nockamixon are in the same position as Tinicum, and they decided to continue to investigate other options. He said there is no rush, there is an operating EMS service and they will be open 24/7 again in Revere starting Sunday, and the Township has until budget time to decide what we are going to do.

Michael Kauffman, echoed John Cole's gratitude, thanking Bruce Wallace of Woodtiger Fund for the funding of the win-win of an operational bridge and the preservation of the historical structure. What a great day this is!

Eleanor Breslin, joined in the expression of gratitude for Woodtiger Fund. She said to date the Township has received over \$3MM, which is in a dedicated escrow account that we control, with the purpose to rehabilitate the bridge, preserve the historic asset for the

community, and to open up the roadway for the convenience and safety of our residents. It has taken a long time and everyone here is looking forward to having the bridge accessible again. The BOS will do everything in our power to finalize the bid package and get it out. She recognizes that we are close to the end of his construction season, but we are not out of it yet, and hope to get our foot in the door before it is too late for this year.

L. Adjournment

Motion to Adjourn at 8:37 p.m.

The Board of Supervisors next Business Meeting is scheduled for Tuesday, June 3, 2025 at 7:00 pm in the Township Building.

DATE: 6/3/2025

ATTEST TO:



Judith Danko, Township Manager/Secretary

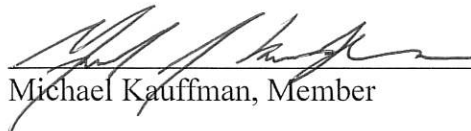
TINICUM TOWNSHIP BOARD OF SUPERVISORS



Eleanor Breslin, Chairperson



John Cole, Vice-Chairperson



Michael Kauffman, Member