

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

ELEANOR BRESLIN
JOHN COLE
TODD QUINBY

TINICUM TOWNSHIP BOARD OF SUPERVISORS BUSINESS MEETING MINUTES August 4, 2026 7:00 PM

{In the event of inclement weather, please check the Township website for the most current update.}

Call to Order

Pledge of Allegiance

Role Call: EB YES, JC YES, TQ YES, JD YES, RF YES, CG NO JR 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, Todd Quinby, Judith Danko, Township Manager, Randy Flager, Township Solicitor, and Justin Roberts, with Flager & Associates, were present at the meeting. Curt Genner, Engineer, was absent as not needed.

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 11 people present, and 1 person viewed it online.

A. Announcements

1. The Board of Supervisors held an Executive Session on 7/2, 7/9, 7/20, 7/23, 7/30, as well as a brief Executive Session earlier this evening.

B. Public Hearing

1. N/A

C. Public Comment

Mr. Robin Lochner of the Parks & Recreation Board provided an update on the park proposal presented at the last Board of Supervisors meeting. The committee is

approximately 75–80% complete and plans to submit a formal proposal before the September BOS meeting for possible discussion.

Mr. Lochner explained that contractor proposals are not expected until mid-August, leaving insufficient time for the committee to review them at its regular meeting without violating Pennsylvania Sunshine Laws. He requested permission to continue the committee's public meeting to August 26 so the proposals can be reviewed before submission. Ms. Breslin recommended continuing, rather than adjourning, the current meeting to a date certain. Mr. Lochner said he would coordinate with Ms. Danko to schedule the continuation meeting, and the Board agreed.

Ms. Kathryn Auerbach, resident, raised concerns about debris in Little Tinicum Creek along Headquarters Road, which will worsen with heavy rain, and the board agreed to contact the county about clearing the area.

Ms. Kim Rosamilia, resident, thanked the Township for the successful repair of Stagecoach Road, noting that it has been transformed and is greatly appreciated by area residents. As trustee and treasurer of the Upper Tinicum Cemetery Association, Ms. Rosamilia announced that the Upper Tinicum Lutheran Church and Cemetery have been accepted as eligible for listing on the National Register of Historic Places. She added that the church is well known for its beautiful glass windows and has hosted the Lenape Chamber Ensemble for the past 50 years. She also announced the launch of a fundraising campaign to restore the cemetery's 175-year-old stone wall and asked the Township to help publicize the effort on the Township website and bulletin board. Ms. Danko agreed to do so.

D. Police Chief's Report

Chief Madden reported 284 incident reports for the month of July for the Tinicum Township Police Department; 54 were service related, 84 were criminal or investigative including 1 fraud report and 1 misdemeanor traffic arrest. 128 were for traffic, 9 were for training, and 9 were for court.

There were two reportable traffic reportable accident in July 2026. A single-vehicle crashed on River Road after the driver fell asleep and a two-vehicle crash occurred at the intersection of Durham Road and Geigel Hill Road after a motorist proceeded through a stop sign without proper clearance.

The average for July over the last five years is 2.6 reportable crashes.

The officers conducted 7 truck details on River Road last month. As a result, three drivers were cited, including one weight violation. There were no bridge strikes and no other violations reported last month.

Chief Madded announced their fourth annual first responder event scheduled for August 28th from 5-8 PM at the Delaware Valley Fire Company. This is a free event, cash donations for the Lord's Pantry will be accepted.

E. Manager's Report

a. Public Work's Report

Ms. Danko reported that the township and Del Val completed the grant project with the installation of a new generator system and fire-rated security alarm system at the Delaware Valley Fire Company using a \$48,000 grant.

Ms. Danko reported that roadwork progress was made on various roads including Cafferty Road, Twinlair Road, Stagecoach Road, Tinicum Creek Road, Second Street, and Center Road as part of the township's 5-year tar and chip program. Every year at least five years are included in the program.

She mentioned that her team has updated the insurance policy with Delaware Valley Trust, and they completed final updates with the NARM and the emergency management plan.

Ms. Danko said Mr. Daniel Alvi, the operations manager of the North Bucks County Emergency Transport Services with St. Lukes, provided an update on the ambulance station improvements which include driveway paving at Station 142 and an exhaust fan installation at Station 141, along with the completion of power load systems in all four ambulances.

F. Engineer's Report

N/A

G. Solicitor's Report

Mr. Flager reported that the construction on the Headquarters Road bridge remains on schedule, the contractor is getting ready to use the temporary easement to start the deck work. He added that the kennel ordinance amendments will be finalized for the September meeting.

H. Consent Agenda Items for Consideration by the Board of Supervisors:

[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 Supervisors Monthly Business Meeting Minutes from July 7, 2026.
2. Treasurer's Report for June 2026.
3. Payroll Report for July 2026 in the amount of \$ 114,788.82.
4. Disbursements for July 2026: General Fund \$ 96,911.06, State Fund \$ 1,154.44 and Escrow Fund \$ 13,036.25.
5. Loftus Construction, Inc. Contractors application for Payment #7 in the amount of: \$ 238,357.11 regarding Headquarters Road Bridge rehabilitation project.
6. Loftus Construction, Inc. Contractors change order # 4 in the amount of \$283,611.18 regarding Headquarters Road Bridge rehabilitation project.

Motion to approve the consent agenda items was made by John Cole and seconded by Todd Quinby. (All in favor, 3).

I. Action Items for Consideration by the Board of Supervisors:

1. Consideration of a Motion to authorize the Township Solicitor and or Zoning Officer to appear before the Zoning Hearing Board for Application Z2026-06-Hollow Horn Road (TMP# 44-014-087) to present the Township's position to the relief requested, and to protect the Township's interests in accordance with the Pennsylvania Municipal Planning Code.

Mr. Flager reported that the applicant, represented by attorney John Van Luven, has revised the variance request. The new proposal seeks two variances from the required 200-foot setback for a horse barn, reducing the setback to 130 feet from Hollow Horn Road and 130 feet from the adjacent residential property. The applicant also requests a variance to increase impervious coverage to 10.3%, exceeding the 10% maximum, to accommodate the revised barn location.

The Board had previously directed that a letter opposing the variance be sent because the barn was too close to the neighboring property. Mr. Cole stated that the revised plan still does not meet the setback requirements and that the barn could be located elsewhere on the property in compliance with both the setback and impervious coverage limits. Mr. Quinby, however, viewed the revised proposal as a reasonable compromise, noting that it places the barn in a more functional location, provides better pasture access, and avoids steep slopes.

Ms. Breslin asked whether the Township should send the zoning officer or solicitor to the Zoning Hearing Board meeting. Mr. Cole recommended submitting a letter rather than sending the solicitor. Ms. Breslin noted that it would ultimately be up to the Zoning Hearing Board to determine whether the applicant met the legal criteria for the requested variances. Mr. Flager supported that view.

Motion to authorize the Zoning Officer to appear before the Zoning Hearing Board for Application Z2026-06-Hollow Horn Road (TMP# 44-014-087) to present the Township's position to the relief requested, and to protect the Township's interests in accordance with the Pennsylvania Municipal Planning, was made by Todd Quinby and seconded by Eleanor Breslin. (All in favor, 3).

2. Consideration of a Motion to authorize the Township Solicitor and or Zoning Officer to appear before the Zoning Hearing Board for Application Z2026-07-1083 River Road (TMP# 44-018-009-002 & 44-018-021-001) to present the Township's position to the relief requested, and to protect the Township's interests in accordance with the Pennsylvania Municipal Planning Code.

The board discussed a variance application from Ray and Lorraine O'Donnell for their property at 1083 River Road. Mr. Flager noted that the property is a very small lot and that the proposal to demolish the existing home and construct a new residence requires numerous variances, which include disturbance of 71.6% of floodplain soils where no disturbance is permitted, 50.2% floodplain disturbance where 25% is allowed, fill within the 10-year floodplain for the driveway, sidewalk, sanitary sewer, and stormwater facilities, an impervious surface ratio of 17.8% instead of the permitted 15%, and issues with side-yard setbacks.

Mr. Flager stated that the requested relief is substantial and cannot be considered *de minimis*. Mr. Cole agreed, noting that the impervious surface exceeds the limit by approximately 16–17%, not merely 2.8 percentage points. He also said the side-yard setbacks could be reduced while remaining more compliant, which would lessen site disturbance. In his view, many of the variances could be avoided by reducing the proposed house size to approximately 3,000 square feet, as the lot cannot reasonably accommodate the larger home as designed.

Mr. Cole suggested sending a letter in opposition to the Zoning Hearing Board. Mr. Flager agreed there is no hardship, the property can be used, and the relief requested is very aggressive. Ms. Breslin added that in addition to be in the flood plain overlay district, this property is in the critical biodiversity and the Delaware wild and scenic

overlay districts, prime farmland, and partially in both the scenic roads and corridors and the riparian partner overlay districts.

Ms. Auerbach emphasized that the property is very important with the Delaware wild and scenic, and it also appears to be within the Uhlerstown National register historic district, which should be considered. She added that it would be nice if it came before the Historic commission for a comment.

Motion to authorize the Township Solicitor to send a letter and the Zoning Officer to appear before the Zoning Hearing Board for Application Z2026-07-1083 River Road (TMP# 44-018-009-002 & 44-018-021-001) to present the Township's position to the relief requested, and to protect the Township's interests in accordance with the Pennsylvania Municipal Planning Code, was made by John Cole and seconded by Todd Quinby. (All in favor, 3).

3. Consideration of a Motion to execute the Pennsylvania Municipal Retirement System Uniform Pension Plan Amendment amending the Uniform members contribution requirement to three percent (3.00%) of compensation for 2026.

Ms. Danko explained that in years past the contribution for any new employees in the police department after a certain date was set at 5%. Because the plan is doing well, we would like to continue to keep it at the 3% rate. The resolution was done at the beginning of the year, and now the amendment has to be executed.

Motion to execute the Pennsylvania Municipal Retirement System Uniform Pension Plan Amendment amending the Uniform members contribution requirement to three percent (3.00%) of compensation for 2026, was made by John Cole and seconded by Todd Quinby. (All in favor, 3).

4. Consideration of a Motion to accept Patti Dunkleberger's resignation as a Parks and Recreation Committee member.

Motion to accept Patti Dunkleberger's resignation as a Parks and Recreation Committee member was made by John Cole and seconded by Todd Quinby. (All in favor, 3).

5. Consideration of a Motion to pay legal costs invoices regarding Sandcastle Winery in the amount of \$7,633.75.

Ms. Breslin provided background on the Township's agreement with Keystone Municipal Services, noting that Keystone has provided services to the Township for approximately two decades. The prior professional services agreement automatically renewed annually and included an indemnification clause requiring the Township to reimburse Keystone for legal expenses related to work performed for Tinicum Township. The agreement was not known to the current board members but remained in effect because a new agreement had not been executed. The issue came to light when Keystone began incurring legal fees related to Sandcastle in 2025.

Ms. Breslin explained that a new agreement is needed to remove the indemnification provision moving forward; however, the Township may still have a contractual obligation to reimburse Keystone for past expenses. The Township has received invoices from Keystone but has not received the underlying legal bills from their attorney. Mr. Flager agreed that requesting the original invoices from the law firm is reasonable.

Ms. Danko stated that, to her knowledge, the submitted amount represents the full amount owed to Keystone, but she was not certain.

Mr. Alan Bersin, resident, requested additional information regarding the existing agreement, stating that taxpayers should understand the nature of a contract that allows an entity to retain attorneys for which the Township may be responsible for payment.

Ms. Breslin clarified that the agreement applies only to legal fees incurred by Keystone in connection with professional services related to specific properties. Mr. Flager added that the original agreement dates back to 2003, before the current Board members served, and Ms. Breslin stated that the Township needs to verify that the submitted expenses are legitimate and related to covered services before reimbursement. Ms. Breslin added that the Township is also incurring legal expenses related to this matter and she agreed that the parties should work together to resolve it. Mr. Bersin acknowledged this and stated that correcting the agreement moving forward should be the next step.

Mr. Gitumal, a resident, questioned how the contract could still be enforceable after being established 23 years ago. Ms. Breslin explained that in reviewing the agreement she found a provision stating that it automatically renews each year. During the annual organizational meeting, the Township has continued to engage Keystone's services for the calendar year without realizing that the original agreement remained in effect.

Motion to pay legal costs invoices regarding Sandcastle Winery in the amount of \$7,633.75 upon receipt and confirmation of the outstanding bills from the law firm that Keystone contracted, was made by Todd Quinby and seconded by John Cole. (All in favor, 3).

6. Consideration of a Motion to authorize execution of “Professional Services Agreement” with Keystone Municipal Services, Inc., as the Township’s representative and agent to provide Building Code Official, Inspection, Plan Review, Code Enforcement, Accessibility Plan Review and Zoning Administration Services.

Ms. Breslin added that the new agreement does not include an indemnification clause and it also does not include a clause that the agreement automatically renews. Mr. Flager added that the agreement can be extended only in writing by both parties, it’s effective date would be today, and it can be terminated by either party within 60 days of written notice. Ms. Breslin stated that she thinks it is important that the agreement expires every year, so that any supervisors in the future are aware of what they are binding the township to. This present agreement should expire at the reorganization meeting in January 2027.

Mr. Bersin expressed concern about the Township’s agreement with Keystone, questioning whether a complete review has been conducted of the services provided and fees charged over the past 20 years. Ms. Breslin explained that litigation began in 2025, resulting in Keystone retaining legal counsel and seeking reimbursement from the Township under the indemnification provision.

Mr. Bersin cautioned the Board to ensure that the Township is not held responsible for future legal expenses that may arise from Keystone’s decisions to retain counsel. Ms. Breslin said that there are additional factors involved that explain why the township chooses to remain in partnership with Keystone.

Motion to authorize execution of “Professional Services Agreement” with Keystone Municipal Services, Inc. to expire on January 4, 2027, or at the time of the reorganization meeting, as the Township’s representative and agent to provide Building Code Official, Inspection, Plan Review, Code Enforcement, Accessibility Plan Review and Zoning Administration Services, was made by John Cole and seconded by Todd Quinby. (All in favor, 3).

J. Public Comment
N/A

K. Supervisor Comments

Mr. Quinby clarified that his reason for supporting payment to Keystone was to resolve the immediate issue and move forward. He thanked residents for their comments and said the Board would pay closer attention going forward.

Ms. Breslin encouraged residents attending in person or remotely to participate in First Responders Night, noting that the Police Department and the Tinicum Township Foundation work hard to organize the annual event. She added that this will be the fourth year of the event and that greater community participation will make it even more fun and successful.

L. Adjournment

Motion to Adjourn at 8:00 p.m. was made by Todd Quinby.

*The next meeting of the Board of Supervisors is scheduled for
Tuesday, September 1, 2026 at 7:00 pm at the Township Building.*

DATE: 9/01/2026

ATTEST TO:



Judith Danko, Township Manager/Secretary

TINICUM TOWNSHIP BOARD OF SUPERVISORS



Eleanor Breslin, Chair



John Cole, Vice Chair



Todd Quinby, Member