

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

NICHOLAS C. FORTE, CHAIRPERSON
VINCENT J. DOTTI, VICE-CHAIRPERSON
GARY PEARSON, SUPERVISOR

TINICUM TOWNSHIP BOARD OF SUPERVISORS MINUTES OF THE MEETING MARCH 19, 2013

Chairperson Nick Forte called the meeting to order at 7:30 p.m. Vice Chairperson Vincent Dotti and Supervisor Gary Pearson were in attendance with Solicitor Stephen Harris and Manager Linda McNeill. Liz Bowman of the Bucks County Herald and Chris Ruvo from the Intel were in attendance along with 5 audience members.

PLEDGE OF ALLEGIANCE: Forte led those present in the Pledge of Allegiance.

PUBLIC SESSION:

A. Old Business:

Farm Lease between Tinicum Township and Pat Bartol, dated May 30, 2012:

Pat Bartol was present to discuss the farming of the Cooper Tract. He said that he had an agreement with the former owner to farm the land and last year, the Township purchased the property, and he was unaware. He said that he planted, and then found out that the Township owned it and because of all the confusion, he wasn't able to herbicide and lost approximately \$1000 on that crop. He said that his lease stated that he would restore the site and over-seed with a meadow grass. He said all the natural grasses had returned without over-seeding.

Pearson said that Bartol farmed the Township property without approval, and the Township tried to work with him. He said that the discussion this evening, was whether or not to renew a farming lease. Bartol said he would be interested in continuing to farm the property.

Harris said that the Board had to make a decision on whether or not the property was to be farmed before requiring Bartol to reseed as agreed.

Dotti said that he could not believe the Board was going to make the same mistake twice. He said that the Township had not put any public proposals out for farming the land. He said that the Township had proposals out for park and recreation and he was not sure what herbicides would be used. He said he was not in favor of this. He said that he did not think it was appropriate to just have the person who farmed the property by mistake enter into another lease to farm it this year. Bartol said that he had permission to farm the property before the Township purchased it.

Pearson asked when Bartol would need to start farming the property if approved. Bartol said that he would normally start mid-May. Dotti said that he was not against the property being farmed, but he thought it should be open to all interested residents.

McNeill said that the Park and Recreation committee wanted to add a task to the RFP for a Master Site Development Plan of the site, that various uses be staked out on the parcel to facilitate the design process for the parkland. She said that she anticipated a consultant would be selected by June or July.

Forte said that this property was purchased for a park, and that staking might need to be done during the growing season. He said that he saw the Township planning the park and he did not think it would be left open to be tilled. Dotti said that this Township was looking to foster viable farming in this Township but that he agreed with Forte.

Office Hours: Mon. Tue. Thurs. Fri. 9am-5pm, Wed. 9am-Noon
Phone: (610) 294-9154
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Pearson asked if the Board wanted to put a public proposal out to see if there were others interested in farming the parcel. Pearson said he did not think that the Park and Recreation Committee would have anything in place this year for the parcel, and that farming it would save the Public Works Department from maintenance. He said that the Board would need to make a decision by the end of April.

Dotti said that the Board first had to see if farming would interfere with the planning for the park. Forte said that he thought he was hearing that the Township should see if anyone was interested in farming the parcel, and if the Park and Recreation Committee needed the land staked to see the plan. Pearson said that he did not see how it was possible to have the park plan finished until the end of the summer. Pearson said that Liz Bowman wrote an article after the last meeting stating that the Board was considering that the parcel could be farmed.

Dotti said that a notice could be placed on the website. Dotti said that he attended an agriculture meeting Friday evening and would be attending more as the Township was starting an initiative to bring back viable farming. He said that his decision was to do nothing at this meeting as the Board is not ready with all the facts about planning and herbicides.

Pearson said that the Board will make a decision at the next meeting. The Board thanked Bartol for his time.

Michael and Carole Maguire Operation and Maintenance Agreement, 590 Geigel Hill Road, Ottsville, PA:

Harris said that there was a legal description which should be an addendum to the legal deed. McNeill said that this was defining where the replacement area was and she believed it could be added to the Operation and Maintenance Agreement. Harris said that he could not find a reference to it in the O&M Agreement. McNeill said that the Township required the applicant to map and record the legal description of the replacement area so that it ran with the land.

Motion by Pearson, seconded by Dotti, to sign the Operation and Maintenance Agreement in the form submitted to the Board and that the Maguires be required to submit a deed of correction with the addendum in the plan attached as a condition of issuance of the final permit. Voted upon and passed.

The Board signed the original.

Harris said he would write a letter of explanation to the Maguires.

B. Reports from Police, Emergency Services & Public Works:

C. New Business:

Resolution to Designate June 9, 2013 as Tinicum Township's Founding Families Day/ 275th Birthday Event Budget & Request for Historic Map reproduction.

Forte said that the Tinicum Township Historical Commission (HC) has been working diligently and is planning a founder's day on June 9th. He said that the Commission has asked the Board to pass a resolution declaring June 9th as Founding Families Day.

Forte read the resolution 3-19-13.1 aloud for the audience, designating June 9th 2013 as Founding Families Day.

Motion by Forte, seconded by Pearson, to approve the resolution as written. Voted upon and passed.

McNeill said that information about the event was on the Township website and the office had further information.

William Mitchell, Bucks County, requests authorization for the Use of Fire Police at Tinicum Park during the Bucks County Kennel Club Dog Show for traffic Control on Saturday, May 4, 2012 from 6:00 a.m. to 3:00 p.m.

Motion by Forte, seconded by Dotti to approve the above request for the above event. Voted upon and passed.

Oath of Office/Loyalty Oath for Barbara Eitemiller to perform the duties of Fire Police Officer, Delaware Valley Volunteer Fire Company:

Forte administered the Oath of Office to new Fire Police Officer Barbara Eitemiller. He thanked Eitemiller for volunteering.

Bucks County Department of Health request a letter granting permission to treat municipal properties for mosquito control to help reduce the spread of West Nile Virus:

Motion by Forte, seconded by Dotti, to approve the above request. Voted upon and passed.

Pearson asked that the Health Department notify the Township before they spray.

1) MINUTES:

Motion by Forte, seconded by Pearson, to approve the Minutes of the Meeting of March 5, 2013 as written. Voted upon and passed.

2) TREASURER'S REPORT & BUDGET RECAP:

Motion by Forte, seconded by Dotti, to accept the Treasurer's Report and Budget Recap for February 2013. Voted upon and passed.

3) PAYROLL REPORT:

Motion by Forte, seconded by Pearson, to approve the Payroll Report for the period of February 23, 2013 and ending March 8, 2013. Voted upon and passed.

4) DISBURSEMENTS:

Motion by Forte, seconded by Pearson, to approve the below listed disbursements:

General Fund: A.M.C. \$3,150.00; Cress Gas Co \$1,484.28; Pennteledata \$180.21; Selective Insurance \$5,071.00; Met-Ed \$20.53; Harris and Harris \$3,550.10; Marlyn Rube Weaver \$2,402.81; Keystone Municipal Engineering \$2,346.00; Blum-Moore Reporting Services \$350.00; Merry Maids \$94.34; Bucks County Planning Commission \$1,080.00; United Inspection Agency, Inc. \$75.00; Ricoh Americas Corp \$524.73; Met-Ed \$117.46; Met-Ed \$478.00; Keystone Collections \$2,700.00; DVHIT-W7090 \$21,190.87; Keystone Municipal Services Inc \$2,700.00; Keystone Municipal Services Inc \$1,740.00; NAPA of Ottsville \$362.05; Keystone Municipal Services Inc \$2,700.00; efts \$2083.56.

Payroll Fund: Payroll for pay period ending 3/8/13; efts Federal \$5829.33; efts State \$836.15.

State Fund: Eagle Power Equip \$1090.84; Vanderlely's Truck Sales and Service \$605.64; Callahan Bearings \$272.52; Michael's Garage \$50.00; Blooming Glen Contractors \$148.56; Wehrung's \$16.29.

Dotti asked about the disbursement for Bucks County Planning Commission. McNeill said that this was for the hours spent on the Comprehensive Plan for Tinicum.

Voted upon and passed.

5) A. PLANNING:

B. SUBDIVISION & LAND DEVELOPMENT:

6) ZONING:

Consideration of settlement of Tinicum Township v. Szwarc:

Harris said that the Szwarc have agreed to reimburse the township \$3500 for the expenses spent on enforcement if the Township withdrew its appeal. He recommended that the Board accept that. He said that he had prepared a mutual release.

Motion by Forte, seconded by Dotti to accept the settlement and authorize Linda McNeill to sign the agreement on behalf of the Township.

Discussion: Harris said that this issue came about when the Szwarc cut down trees without approval and the Township had required those trees to be replanted, however given the major destruction

caused by Hurricane Sandy, the Township has agreed to withdraw the requirement if the Szwarcz reimburse the Township for its expenses.

Voted upon and passed.

7) POLICE:

8) PUBLIC WORKS:

9) ZONING HEARING BOARD APPLICATIONS:

Forte announced the following:

Hearing Continued to March 28, 2013 at 7:00 p.m. #5-2012 Property Owner William Edmonds: Appeals from the action of the Zoning Officer and a Stop Work Order and in the alternative to the appeal of the Zoning Officer's action, Requests a Variance from Tinicum Township Zoning Ordinance Article VIII, Section 804.20 and Section 806 (c) and Article XIII, Section 1302. This property is identified as Tax Parcel No. 44-25-19-1 with an address of 2 Bridge Five Lane, Erwinna, PA and is a .55 acre +/- tract located in the Residential Agricultural (RA) Zoning District.

Harris said that the initial hearing was held last month and this was a continuance.

10) MISCELLANEOUS:

Chris Ruvo, of the Intel asked about the recently advertised Met Ed scam. He asked if anyone had a problem in Tinicum. McNeill said that Tinicum has not had any calls, but the Met-Ed representative contacted us and Chief Sabath agreed we should post something for our residents.

Forte recessed the regular meeting at 8:40 p.m. to discuss litigation, personnel and real estate acquisition.

Forte reconvened the meeting at 9:00 p.m. Harris reported back that pending litigation and threatened litigation had been discussed as well as personnel, and real estate acquisition. He said that there was nothing to announce.

11) ADJOURNMENT:

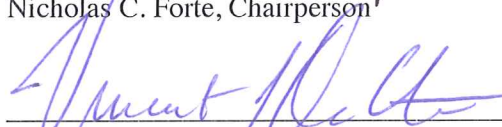
Motion by Forte, seconded by Pearson to adjourn the meeting at 9:00 p.m. Voted upon and passed. The next meeting of the Board of Supervisors is scheduled for Tuesday, April 2, 2013 at 7:30 p.m. in the Township Building.

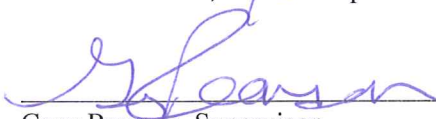
TINICUM TOWNSHIP SUPERVISORS

Attest:


Linda McNeill, Township Manager


Nicholas C. Forte, Chairperson


Vincent J. Dotti, Vice Chairperson


Gary Pearson, Supervisor