

Incorporated March 12, 1738

TINICUM TOWNSHIP

Bucks County

BOARD OF SUPERVISORS

163 Municipal Road
Pipersville, Pennsylvania 18947

RICHARD ROSAMILIA, CHAIRPERSON
JIM HELMS, VICE-CHAIRPERSON
JOHN BLANCHARD, SUPERVISOR

Tinicum Township Board of Supervisors Meeting Minutes July 16, 2019

Supervisors Rich Rosamilia, Jim Helms and John Blanchard were present with Township Manager Teri Lewis. There were approximately 40 people in attendance.

Chairperson Richard Rosamilia called the public meeting of the Tinicum Township Board of Supervisors to order at 7:30 pm followed by the Pledge of Allegiance.

G. Emergency Services

Doug Skelton, President of Del Val Volunteer Fire Company, submitted the June 2019 report from the Del Val Fire Company to the Board. Skelton stated there had been 12 Fire Calls, including a barn fire, car fire, and a brush fire, 4 alarms, 1 major EMS assist, and 2 Marine Rescue Calls. Skelton said there were 6 Quick Response calls and 4 Fire Police calls.

H. Public Comment

Stagecoach Road

Harry Bohlman, E. Dark Hollow Road, asked the Board to consider his requests concerning his farm property as follows:

1. Return Stagecoach Road to a 12 ft. width along his property line. Bohlman said the road has been widened due to snowplowing to a point where he cannot maintain the area along his deer fence with a mower, while the opposite side has vegetation growing onto the road.
2. Freeze taxes on his land that is placed in the Bucks County Agricultural Land Preservation.

Skelton, Public Works Director, said that they have not intentionally widened any Township roads. Rosamilia said the Township would look into cutting back the vegetation on the other side of Stagecoach Road and look at the placement of Bohlman's fence in regards to Stagecoach Road right-of-ways.

Rosamilia said the Board would discuss the municipal tax freeze. Rosamilia said that, according to the Bucks County Board of Assessment, Bohlman currently pays \$311.75 in municipal tax. Bohlman said the tax amount was correct, but he was concerned about the tax going up in the future. Harris asked if the property was in Act 319 Program [which provides property tax reduction for agricultural or forest land use]. Bohlman said yes.

Sheephole Road

Tim Cashman, Quail Lane, said he was looking at Sheephole Road as an emergency access road. He said it was designated as a "scenic road" through Ordinance 69 by Supervisors Nick Forte and Bruce Wallace, which does not allow it to be paved. Cashman said that Sheephole Road needs to be improved so emergency vehicles can get through more quickly and it is in very poor condition. He said since the Headquarters Bridge has been closed for years, the residents need another way to get emergency response vehicles to their homes.

Harris read from Ordinance 69, which states "no unpaved scenic road may be surfaced with asphalt materials, unless the Supervisors determine there is no reasonable alternative, and that the new surface material is necessary to maintain the road in good and sufficient repair, and in reasonably safe condition for travel." Harris said that the question is if there is "no reasonable alternative."

Rosamilia said that the Township had used a DSA [Driving Stabilized Aggregate] material successfully on other roads in the Township and it could be a good solution on Sheephole Road. Skelton said it had held up well on Ropewalk Road. Rosamilia said the Township could try to get a grant to pay for it. Gary Woertz, Quail Lane, asked if the Township had previously received state funding to repave it. Lewis said that program paid for stone to be put on dirt roads.

State Representative Wendy Ullman said she spoken with the Board, Secretary Richards [PennDOT], Delaware Riverkeeper Network (DRN) Engineers and Myra Van Rossum, and secretaries to the governor in Harrisburg. She said they are trying to solve the problem and she is not going to give up, but with the lawsuit [filed by the DRN against PennDOT and the FHWA] there are legal impediments to progress.

Rosamilia asked Ullman if PennDOT would be willing to rehabilitate the bridge. Ullman said according to PennDOT's engineers, rehabilitation is not a possibility, due to the core integrity of the bridge piers and abutments. Rosamilia said that years ago the Board had proposed a temporary bridge or span over the existing piers but PennDOT had turned it down. He said that perhaps with Ullman's help they might reconsider it. Ullman said the DRN was not open to a span over the existing bridge.

Jim Dierking, Quail Lane, said he was new to the community. He said he had heard the DRN concerns but did not think they should override resident safety and well-being. He said the Government's responsibility should be to the health and safety of its citizens, but what he has heard Ullman say is we have to wait and see if the DRN will approve it.

Steve Szymanek, McCann Drive, said the court would decide if PennDOT could move forward with building a new bridge. He said after that, the only issue was whether it would be one lane and the Township would pay to maintain it or 2 lane and PennDOT would pay to maintain it. He said the judge would decide if PennDOT had done its due diligence. Rosamilia said that the court decision would not prevent an appeal or another lawsuit being filed. He said that was why Ullman was talking to all parties to try to clear a path for negotiations.

John Dey, E. Dark Hollow Road, said that if PennDOT says the bridge is not safe for traffic, it could be used for foot or bicycle traffic and then a new 1 or 2-lane bridge could be built next to it. Rosamilia said he had been told by the DRN that installing a new bridge next to the current bridge would change the dynamics of the EV [Exceptional Value designation] stream and damage the environment.

Anita Nolan, McCann Drive, asked Ullman to help obtain state grants for the Sheephole DSA material. She asked if a temporary bridge could be installed on Municipal Road over the creek until the Headquarters Bridge was settled, to allow quicker access without driving through the stream.

Nick Domiano, Headquarters Road, said he would be willing to pay \$5 a year more in taxes for the bridge to be kept historic, repaired, one-lane, and 1-foot wider. Rosamilia said that the 1-lane bridge is still under discussion, but the DRN said it would not accept a 1-lane bridge, only rehabilitation.

Woertz said the previous board had approved a 2-lane bridge and questioned what had happened to change that decision. Rosamilia said that the opposition wanted a one-lane bridge at the time, but since then said they would only accept rehabilitation. Jim Maginn, Quail Lane, said the DRN has spent an inordinate amount of time and money to keep this bridge.

Kathryn Auerbach, Center Road, said many people had worked hard to rehabilitate the creek and bring it up to an EV level. She said the Headquarters Bridge was on the National Historic Register as part of the Ridge Valley Historic designation and the FHWA should make a special effort to preserve it. She said that up until the bridge was closed, the engineers from National Park Service said it could be rehabilitated with a new deck. She said they did not say that the substructure was not up to doing the job. Rosamilia said PennDOT had informed them that the core samples of the piers showed it was in poor shape and they could not repair it.

Vladimir Salamun, Headquarters Road, said they should not be dismissive of effects the bridge construction would have on the stream. He said their property has been eroded as result of PennDOT's bridge replacement project near his property.

Blanchard said he wanted to return to the original topic of Sheephole Road. He said using the DSA material on Sheephole Road could be a good solution. He asked Skelton to look into the cost, possible grant money, and the timeframe. Blanchard said he was particularly concerned about the timeframe with regards to restricting the use of Sheephole Road, because it would affect the already limited access to the area. Rosamilia said they would need to verify that the County-owned and Township-owned truss bridges on Sheephole Road can support additional traffic. He said PennDOT had told them the bridges needed some maintenance but had not provided details.

I. Old Business

Paving/Sealcoating Project

Rosamilia announced that the paving project on Second Street and sealcoating project on Cafferty, Stagecoach and Tinicum Creek have been completed.

J. New Business

Township Building Roof Repair

Lewis stated the roof on the Township building is over 40 years, had been damaged in a windstorm, and had leaked after the latest rain storm. She said five bids were received to replace the roof.

Motion: to accept the low bid to repair from Labant Contracting the Township Municipal Building roof.

Motion by: Rosamilia. **Second by:** Blanchard.

Letter to Pennsylvania Dept. of Environmental Protection Regarding Status of Tohickon Creek

Rosamilia stated that the Tinicum Conservancy requested the Board send a letter to the DEP asking them to reconsider downgrading Tohickon Creek water quality designation.

Motion: Helms. **Second:** Blanchard. Voted upon and passed.

Land Preservation

Rosamilia stated that the Land Preservation Committee (LPC) recommends a payment under the Township's Fully Donated Conservation Easement Incentive Program in connection with a conservation easement on the +/- 26-acre property of application #2016-1, TMP 44-015-064, located at 223 Headquarters Road, Erwinna, PA. He said that the proposed incentive payment is \$19,000 and approval is subject to a two-week public comment period. [This program is intended to encourage fully-donated conservation easements, by providing funding to help landowners cover necessary expenses.] Norman McArthur, LPC chairperson, said that this easement was particularly important, because the property owner had generously chosen to fully donate the property conservation easement, reducing the payment from the original, approved easement offer in 2017 of \$87,120 to a \$19,000 incentive payment.

Motion: to open the two-week public comment period for LPC Application #2016-1.

Motion by: Blanchard. **Second by:** Helms. Voted upon and passed.

E. Regular Business

1) Minutes:

Motion to: approve the Minutes of the June 4th meeting and the continuance minutes of June 11th, 2019 meeting as written.

Motion by: Blanchard. **Second by:** Helms. Voted upon and passed.

2) Treasurer's Report & Budget Recap: The Treasurer's Report and Budget Recap for May 2019 is posted on the bulletin board.

3) Payroll Report: Payroll Report:

Rosamilia said that the July 5th payroll was higher because it included longevity and holiday pay.

Motion: to accept the Payroll Reports for the periods ending June 7th in the amount of \$27,629.24; June 21st in the amount of \$26,675.62; and July 5th in the amount of \$39,391.91.

Motion by: Rosamilia. **Second by:** Helms. Voted upon and passed.

4) Disbursements:

General Fund	Amount	Memo
Merry Maids	\$450.00	3 cleanings (May and June)
M & W Precast LLC	\$346.62	PWD tank pipe replacement (cracked)
Keystone Municipal Engineering	\$1,227.60	Engineering Services -
Service Electric Telephone	\$387.22	Telephone Service
Witzer Well and Pumps	\$290.00	Shock well and replace well cap
Keystone Municipal Services Inc	\$975.00	Bldg. insp. and reviews
Safeguard Business Systems	\$236.67	General Fund Checks
DelGuerico's Disposal Service	\$185.00	Trash and Recycling Removal
VerizonWireless	\$214.45	Police Wireless
Keystone Municipal Engineering	\$613.80	Engineer Services
Keystone Municipal Engineering	\$1,069.50	Engineer Services
Aflac Business Services	\$280.04	June Supplement Insurance withheld
Balasio Excavating and Grading	\$62,884.52	BCCD Dirt and Gravel Grant Project- Ropewalk
Keystone Municipal Engineering	\$985.80	Park Project Management
Keystone Municipal Engineering	\$827.70	Engineering/Planning Services - Township
Balasio Excavating and Grading	\$29,475.52	BCCD Dirt and Gravel Grant Project - Municipal
Delaware Valley Insurance Trust	\$11,062.00	2019 Quarter Two Commercial Insurance
Del Val Workers Comp Trust	\$7,008.75	2019 Quarter Two Worker's Comp
PMRS	\$2,720.58	2nd quarter 2019 Uniform 7052309
PMRS	\$5,668.68	2nd quarter 2019 non-uniform
Cunningham's Automotive Repair	\$243.29	Inspection and repairs police fleet (Escape)
Hartford Life Insurance	\$153.45	Employee Life Insurance
PennTeleData	\$180.21	Internet Service - all
Internal Revenue Service	\$2,101.67	Employer FICA tax
Internal Revenue Service	\$2,113.66	Employer FICA tax
Internal Revenue Service	\$53.90	IRS Form 720 Excise
PA State Assoc. of Twp. Sup.	\$190.01	2nd Quarter Unemployment Ins
Cunningham's Automotive Repair	\$243.29	Inspection and repairs police (Escape)
Met-Ed	\$28.03	Electricity Traffic Light
Ricoh Americas Corp	\$93.00	Copier Lease
Keystone Municipal Engineering	\$558.00	Park
Tackett Planning, Inc.	\$4,497.50	Zoning and Planning Services June
Keystone Municipal Services Inc	\$1,560.00	Bldg Insp and Reviews 6-17 - 6-28
Harris and Harris	\$7,763.33	Legal Services June 2019
Met-Ed	\$20.52	Electricity Park
Met-Ed	\$104.07	Electricity PWD
Met-Ed	\$294.95	Electricity Police and Admin
Allied Admin for Delta Dental	\$833.89	Allied Administrators for Delta Dental
Staples	\$86.72	Office Supplies
ReadyRefresh	\$57.23	Bottled Water Meeting Room
United Healthcare	\$10,226.09	Employee Healthcare
YCG	\$49.00	Calibration - ENRADD
Merry Maids	\$300.00	Janitorial Service

Payroll Fund	Amount	Memo
Pay period ending 6/7/19	\$20,906.60	Paychecks
Internal Revenue Service	\$4,799.28	Employee FICA tax withheld
PA Dept of Rev	\$ 843.41	PA Employee tax withheld
Pay period ending 6/21/19	\$20,108.18	Paychecks
Internal Revenue Service	\$4,811.27	Employee FICA tax withheld
PA Dept of Rev	\$848.22	PA Employee tax withheld
Keystone Collections Group	\$2,794.87	2nd Quarter Earned Income Tax
PA Dept of Labor & Industry	\$112.76	PA Unemployment Tax
State Fund	Amount	Memo
ATCO International	\$126.05	Take off (A-16 XX CA)
ABE Materials Easton	\$1,437.98	Stone- Aggregate
Sands Ford of Red Hill	\$73.97	F550 Rear Brakes
Eagle Power & Equipment	\$228.40	Case Backhoe belt tensioner and oil
Suburban Propane	\$1,152.20	Diesel fuel
Triad Truck Equipment	\$878.00	Truck and Plow parts
H & K Materials	\$829.92	Green Patch
NAPA of Ottsville	\$38.91	Cable lugs/ties/terminals
Escrow Fund	Amount	Memo
Genghini, Frank and Patricia	\$1,000.00	Refund of CO Escrow
Groundwater Fund	Amount	Memo
Lennon's Small Jobs	\$571.49	Logger Data and battery replacement
Open Space Fund	Amount	Memo
Del Val Regional Finance Auth.	\$12,323.30	Open Space Bond payment

Motion: to accept the disbursements as written.

Motion by: Blanchard. **Second by:** Helms. Voted upon and passed.

F. Zoning

Zoning Hearing Board Variance Hearing Scheduled for July 25, 2019 at 7 pm

ZHB#01-2019: John Ramelli III & Michael Hurlle, 16 Cafferty Road, Tax Parcel 44-030-008-001, Zoned Village Center (VC). Requests relief from front yard setback requirement Article 9, Sections 900.06 & 900.13 to construct a detached garage. The Board said that they had no opposition to the variance and were in agreement with the Planning Commission recommendation.

G. Conditional Use

Conditional Use Hearing Scheduled for August 20, 2019 at 8 pm

CU-02-2019: Marcus Rosenfeld, 322 Geigel Hill Road, Tax Parcel 44-006-086, Zoned Residential Conservation (RC). Requests approval to allow a replacement/repair sewage system in the setback area.

H. Miscellaneous/Public Comment

Tohickon Creek Designation

Ullman said there are 900 comments [on the PA Government eComment App www.ahs.dep.pa.gov/eComment] asking for upgrading [the Tohickon Creek Water quality designation]. Rosamilia asked why the DEP wanted the creek downgraded. Ullman said she did not know, but that she had spoken with the DEP as well as Cindy Dunn, DCNR. Ullman said she was optimistic that the current designation would be maintained.

Headquarters Road Bridge

Jessie Salamun said, with regard to safety, when bridges are increased from 1-lane to 2-lane, people are more likely to speed. Ullman said she had brought that issue up with PennDOT.

Frankenfield Covered Bridge

A resident proposed a bar be placed in front of the covered bridge to prevent damage from trucks exceeding the height limitation. Rosamilia said the County was looking into a "headache bar".

Vegetation Blocking Road Sight

Domaino said the vegetation growth along Geigel Hill Road was making it difficult to see when making a left to go across the bridge. Lewis said because Geigel Hill is a state road, Domaino should contact PennDOT with his concerns and PennDOT contact information is available on www.tinicumbucks.org. Domaino said Cafferty and Hollow Horn also had a vegetation issue. Lewis said because they were Township roads, the Township would contact the property owner.

I. Executive Session

The Board recessed the regular meeting for an Executive Session from 9:07 pm to 9:32 pm to discuss matters of land acquisition and legal matters.

Tax Freeze for Ag Preservation

Rosamilia announced he would recuse himself from Bohlman's request to freeze municipal taxes for Ag Preservation. Helms said based on previous Ag Preservation that has been done in the Township, it would not be fair. Helms said that the Township has not raised the tax in 9 years and the tax amount of \$311.00 should not adversely affect Bohlman's decision to pursue Ag Preservation for his property.

Motion: to deny the request to freeze the municipal tax for Ag Preservation.

Motion by: Helms. **Second by:** Blanchard. Rosamilia recused. Voted upon and passed.

Land Preservation

Motion: to approve a potential per acre dollar acre of \$5,265 on LPC application #2019-3.

Motion by: Rosamilia. **Second by:** Blanchard. Voted upon and passed.


J. Adjournment


Motion: to adjourn the meeting at 9:35 pm.

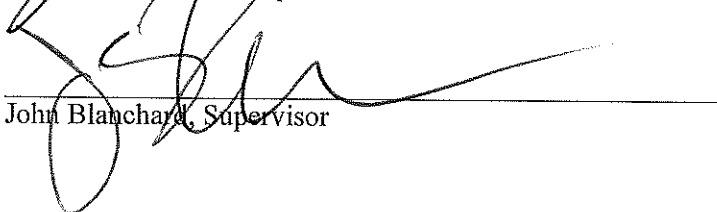
Motion by: Blanchard. **Second by:** Helms. Voted upon and passed.

The next meeting of the Board of Supervisors is scheduled for August 20th, 2019 at 7:30 pm.

TINICUM TOWNSHIP BOARD OF SUPERVISORS


Richard Rosamilia, Chairperson


Jim Helms, Vice-Chairperson


John Blanchard, Supervisor