

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 August 20, 2019

Supervisors Rich Rosamilia, Jim Helms and John Blanchard were present with Township Manager Teri Lewis. There were approximately 45 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.

A. Old Business

Land Preservation

Rosamilia stated that the Land Preservation Committee (LPC) recommends payment, under the Township's Fully Donated Conservation Easement Incentive Program, for a conservation easement on property application #2016 [TMP 44-015-064], a +/- 26-acre property, located at 223 Headquarters Road, Erwinna, PA. Norman McArthur, LPC chairperson, said the property owner had chosen to fully donate the property conservation easement, reducing the payment from the original, 2017 approved easement offer of \$87,120 to a \$19,000 incentive payment that offsets the costs of donation. McArthur and Rosamilia thanked Kenneth and Glen Andersen for their generous donation.

Motion: to approve the conservation easement and the fully donated incentive program payment of \$19,000 for LPC Application #2016-1, TMP 44-015-064.

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

B. New Business

Presentation to Dr. Marion Kyde for her Community Service

Rosamilia said Dr. Kyde has volunteered her time for over 20 years, serving on the Environmental Advisory Board and the Open Space/Land Preservation Committee. Rosamilia noted that Kyde has obtained numerous grants and studies to remove invasive plants, restore native vegetation and protect watersheds within the community, and is currently a liaison with the Delaware River Greenway Partnership and has offered to work on future projects within the Township, as her time allows. The Board presented Dr. Marion Kyde with a "Spray of Tulips" tile from the Moravian Tile Works to commemorate their appreciation of her efforts.

Presentation of Historic Map from Richard Zaveta

After being asked by a resident if a historical map could be put together, Richard Zaveta said he approached Norm McArthur, LPC, and Jeff Marshall of Heritage Conservancy. Zaveta credited Marshall with conducting major research of parcels going back to 1798. He said it was an important part of history and noted his and the Laudens parcels have survived intact and are now protected by conservation. Zaveda said the maps are copyrighted and were intended for fundraising for the Open Space Committee.

Jeff Marshall said there was binder that gave details on the parcels noted on the map and noted interesting facts about the township history. McArthur noted that the Zaveta's Ag Conservation on 144 acres, Upper Tinicum Church RD in 2006, is the largest, single land donation in the County on record.

Rolling Hills Development 1996 Stipulated Settlement Agreement Discussion

Attorney John Van Luvanee presented an overview of permitted lot sizes within the 1996 Stipulated Settlement Agreement, impervious surface ratio, open space in the Rolling Hills Development. He discussed how allowing a larger house, garage and pool on some of the lots would impact impervious surface and stormwater management.

Rosamilia asked if any of the area is within critical recharge. Van Luvanee said he did not know. Rosamilia said he would like to have time to review the plans and consider the proposal. Blanchard asked why a larger home would have better recharge.

Request to Reallocate Highview/Meditation Hill Tree Replacement Escrow Funds

Mark Hankin said that they have escrow (approximately \$5,000) for tree replacement for Highview/Meditation Hill. He said that most of the lots have been purchased and consequently, he would like to reallocate the escrow funds to replace dead trees in other areas. Additionally, he requested using some of the funds to seal cracks in some of the dedicated roads before winter.

Motion: to reallocate/release Highview/Meditation Hill Tree Replacement Escrow funds to replace trees in other areas of the development and to repair cracks in the dedicated roads.

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

Township Facilities Third-Party Use Discussion

Rosamilia said that Delaware Valley Insurance Trust (DVIT) had concerns about the liability involved when third parties use the Township facilities for non-township use. Lewis said, after contacting DVIT regarding bike event liability, DVIT had sent a model Facility Use Agreement Waiver for outside groups wishing to use Township facilities. She said the Waiver would require third-party users to provide proof of insurance and sign a Hold Harmless agreement, to avoid the township (i.e., staff, supervisors, as well as residents) from being held liable.

Rosamilia reviewed the following concerns regarding the building to be used by third-party groups:

- If the facility is open for one group, it must be open for all groups, regardless of ideology, purpose or intent.
- The security of facility, township public records/documents, and staff could be an issue. For example, if a key is given to a group for after-hours use, it could easily be duplicated or not returned. Asking a township employee to come unlock the building, sit through the meeting, and then lock up could be a staffing issue after hours.
- Clean-up falls upon the office staff to remove trash and clean the restrooms after an event/meeting.
- Allowing the facility to be used during office hours could be disruptive to office business.

Amleto Pucci, Headquarters Road, asked about other township facilities practices, such as Plumstead. Lewis said that Plumstead Township has a separate meeting room away from the secured administrative offices and files. She said their door can be opened and locked remotely and they have installed cameras. Harris said the other community he represents banned public meetings two years ago for similar reasons. Rosamilia said it did not make sense for the current Township building to be used by third-party groups at this time. He said that perhaps outside groups could use the meeting rooms at the fire house or the conservancy.

Motion: to restrict the Township facility from third-party use.

Motion by: Rosamilia. **Second by:** Helms.

C. Emergency Services

Del Val Volunteer Fire Company

Doug Skelton, President of Del Val Volunteer Fire Company, submitted the July 2019 report from the Del Val Fire Company to the Board. Skelton said they had been dispatched on 31 calls, with 16 Fire Calls, 7 Quick Response calls, and 8 Fire Police calls. August spaghetti dinner 125 people and \$600 profit.

Ottsville Volunteer Fire Company

Bill Shick, Ottsville Fire Chief, said they had received a \$95,000 grant from PEMA to install an exhaust system for the diesel trucks. He also said that through a PEMA grant, they had purchased 2 new washing machines to extract carcinogens from their clothing.

Shick said there had been 435 fire calls for the year with about a 30% of them pertaining to Tincum Township. Shick said they use Tankhannen Road as a way around the Headquarters Bridge closure and they are having trouble with a few trees on the road near Ridge Valley. Lewis said they had contacted PennDOT and would contact them again, but asked Shick to contact PennDOT as well.

D. Public Comment

Redistricting Meeting Sept. 12th at Palisades Elementary School

Mary Pucci, Headquarters Rd, said a Redistricting Reform Meeting, conducted by FairDistrictsPA in conjunction with the Women’s League of Voters, will be held Sept. 12th at Palisades Elementary School, from 7:00 to 8:30 PM.

Sheephole Road & Headquarters Bridge

Tim Cashman Quail Lane, asked about the resurfacing of Sheephole Rd., as had been discussed at the previous meeting. Skelton, Public Works Director, said he contacted the County Conservation District, but all of 2020 money had already been allocated. Skelton said the earliest he can apply is next August for 2021. Rosamilia said that Skelton would continue to address the Road with the grader. Cashman asked if Public Works could clean up the vegetation and overgrowth on the road. Skelton said he would take a look at it and Cashman said he appreciated it.

Cashman asked if the Township had filed an amicus curiae brief concerning the ongoing lawsuit regarding the Headquarters Bridge. Steve Harris, Solicitor, said that currently the FHWA and PennDOT have filed motions to dismiss, which are pending before the court and they are waiting for the outcome of those motions before taking any other action.

E. Regular Business

1) Minutes:

Motion to: approve the Minutes of the July 16th meeting as written with no attachments.

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

2) Treasurer’s Report & Budget Recap: The Treasurer’s Report and Budget Recap for June and July 2019 are posted on the bulletin board.

3) Payroll Report: Payroll Report:

Motion: to accept the Payroll Reports for the periods ending July 19th in the amount of \$27,859.07 and August 2nd in the amount of \$26,933.31.

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

4) Disbursements:

General Fund	Amount	Memo
Blum-Moore Reporting Services	\$250.00	ZHB appearance fee 7/25
Allied Administrators for Delta Dental	\$833.89	Dental Insurance
Aflac Business Services	\$280.04	Supplemental Insurance withheld
G2 Computers	\$1,270.40	Balance - computer and server upgrade
Verizon Wireless	\$224.05	Police Wireless
Keystone Municipal Services Inc	\$877.50	Bldg. insp. and reviews 7-1 thru 7-10
WEX, Inc	\$825.36	Police Fleet Fuel
VISA	\$135.34	Police gear and pol misc.
Service Electric Telephone	\$391.20	Telephone Service All
Staples Credit Plan	\$121.51	Staples Credit Plan
Hartford Life Insurance	\$153.45	Life Insurance All

Eagle Point Gun / T J Morris & Son	\$265.00	Ammunition
Cunningham's Automotive Repair	\$128.64	Headlight repair 2013 intrcpt
Gary Bickel's Garage	\$679.23	Police Fleet Repairs and Inspection - Escape
Merry Maids	\$300.00	July 29 and Aug 12 Cleaning Services
Met-Ed	\$29.70	Traffic Light Electricity
Met-Ed	\$101.09	Public Works Electricity
Met-Ed	\$20.52	Park Electricity
Met-Ed	\$342.53	Police and Admin Electricity
DelGuericco's Disposal Service	\$155.00	Trash & Recycle Removal
PA DCED	\$139.50	2nd Quarter Uniform Construction Fees
Cunningham's Automotive Repair	\$243.29	Inspection and Repairs Police Fleet (Escape)
United Healthcare Insurance Co	\$10,226.05	Sept 2019 Health Insurance
Ricoh Americas Corp	\$93.00	Copier lease (base)
Keystone Municipal Services Inc	\$1,527.50	Bldg. rev and insp. 7-12-19 thru 7-26-19
Intelligencer	\$116.80	13 Weeks Subscription
PennTeleData	\$180.21	Internet
Wehrung's	\$33.37	Police Supplies
Wehrung's	\$12.50	Supplies
M & W Precast LLC	\$536.74	Drainage Pipe
Harris and Harris	\$1,925.00	Legal Services
Earth Link	\$53.90	Aug & Sept Web Hosting
ReadyRefresh	\$125.49	Bottled Water All Departments
Cooper Mechanical	\$337.00	AC Repair (Police Dept)
Tackett Planning, Inc.	\$4,255.00	Zoning and Planning Services July
Internal Revenue Service	\$2,131.22	Fed Employer Tax
Internal Revenue Service	\$2,060.40	Fed Employer Tax
Payroll Fund	Amount	Memo
Pay period end 7/19/19	\$20,996.65	Paychecks
Internal Revenue Service	\$4,940.29	Fed Employee Tax withheld
Pa Dept of Rev	\$ 855.26	State Tax
Pay period end 8/2/19	\$20,360.79	Paychecks
Internal Revenue Service	\$4,693.31	Fed Employee Tax withheld
Pa Dept of Rev	\$ 826.86	State Tax
State Fund	Amount	Memo
Asphalt Maint. Solutions	\$ 95,913.96	Seal Coat Project
H & K Materials	\$ 1,235.36	Asphalt for patching
Wehrungs	\$ 109.09	PWd Supplies
Vanderley's Truck Sales and Service	\$ 210.31	Vehicle Repair Supplies/Parts
Garden State Sign Products	\$ 364.00	Sign Supplies
Blue Tarp Financial	\$ 314.79	PWD Supplies/Tools
Capital and Equipment	Amount	Memo
Matthew Labant Contracting	\$ 2,681.00	Contract Third/ Admin Roof
Escrow	Amount	Memo
Tackett Planning	\$680.00	Professional Service Spineo
Harris and Harris	\$70.00	Professional Service Spineo
Open Space	Amount	Memo
Harris and Harris	\$280.00	Legal Services Open Space
Delaware Regional Finance Assoc.	\$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

Rosamilia announced the following:

- ZHB Decision Regarding Application ZHB#01-2019

On July 25th, the Zoning Hearing Board heard application ZHB#01-2019. Applicants and property owners, John Ramelli III & Michael Hurlle requested relief from Article 9, Sections 900.06 & 900.13 to permit a detached garage within the front yard setback. The property, identified as TMP# 44-008-001, is a 1.61 ac property and is located at 16 Cafferty Road. The request for relief was granted.

- ZHB Resignation

Rosamilia said, regretfully, Greg Czura has resigned from the Zoning Hearing Board. Rosamilia stated that the Board, staff and citizens of Tincum Township would like to thank Czura for his many years of generous service to the community and wish him the best in the future.

Proposed Fence Amendments

Motion: to send the draft proposed fence amendments to the Tincum Township PC and the Bucks County Planning Commission for review and comments.

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

Proposed Sewage Ordinance Amendments

Harris said most municipalities require that residents pump every three years. Lewis said the PC said they recommended the Township send out a reminder to residences every 2 years. Blanchard said he would like to table the discussion on other items in the amendments until they receive more information/clarification.

Proposed Critical Recharge Amendments

The Board reviewed the comments from the PC and Planner, Tracy Tackett. After discussion, Helms recommended that the PC discuss the amendments further, try to condense the material, and possibly compromise with Planner Tackett's suggestions. Rosamilia said he wanted to review the amendments and then would like to have Tackett, the PC, and the Supervisors discuss it at the next meeting. The Board decided to table the discussion.

Proposed Park Rules and Regulations

Lewis said the park needs signage and they need a name for the park. Rosamilia said he had a problem with naming it the Ottsville Park because Ottsville is in two other townships and this is a Tincum Park. Harris suggested Tincum Community Park. Cashman suggested Common Sense Park. McArthur suggested Tincum Park West.

Lewis said she would like advertise for park volunteers. She said she had prepared a draft of park rules and regulations, based on County park rules, but inquired if the Board wanted the path to be a walking path or should they allow bicycles. Helms thought bikes for small children should be allowed, but not other bikes. The Board said it should remain a walking path. Lewis said she would finish the draft and for submission to the Board.

G. Conditional Use

Rosamilia recessed the regular meeting at 8 pm for the advertised Conditional Use Hearing:

CU-02-2019: Marcus Rosenfeld, 322 Geigel Hill Road, Tax Parcel 44-006-086

Requests approval to allow a replacement/repair sewage system in the setback area.

Stenographer was present. Marcus Rosenfeld, Rick Swiantecke, Michele Mosolgo and Chris Weaver were sworn in for the purpose of giving evidence and testimony on the applicant's request for Conditional Use approval in accordance with Zoning Ordinance Sections 808(a), as amended by Ordinances 200 & 202, to allow a repair/replacement system in the side yard setback area.

Harris gave an overview of the request for relief. Testimony was received with regards to the system location, approvals from the Bucks County Dept. of Health and Bucks County Conservation District. Rosenfeld agreed that there will be no expansion to the number of bedrooms beyond the current 3-bedroom home, buffering trees will placed in easement and remain in place, and that the property will not be further subdivided. Harris referenced memos from the Township Engineer and Zoning Officer regarding location of the system. Swiantecke said the Bucks County DOH states that the proposed

location is the only location for the system. Weaver reviewed his plans to access the property without disturbing the neighboring area or replacement area.

Motion: to grant approval to install a replacement septic system at 322 Geigel Hill Rd, Tax Parcel 44-006-086, subject to conditions.

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

H. Miscellaneous/Public Comment

Geigel Hill Bridge

Rosamilia asked Skelton how the repairs to the Geigel Hill bridge following a series of crashes. Skelton said he had it repaired and then it had been hit several more times. He had gotten an estimate. Rosamilia asked if the insurance company been contacted. Lewis said the police have contacted the driver's insurance company. Cashman said that since the bridge is Township owned and it keeps getting hit, where are the funds that were promised to repair it. Rosamilia said that only \$50,000 had been received. Rosamilia said that they need to figure out how to prevent future damage. He said Officer Gerding had completed an excellent traffic study and suggested moving the guide rail on Heine's side back 5 or 6 feet within the Township right-of-way and widening the road with a bollard on the side it would allow room to make the turn. Rosamilia said that if they do that, PennDOT should share in the cost, because that alignment should have been done originally. Cashman said that the community should learn from this, put a fund aside if the next bridge will be a one-lane bridge and those funds should come from the people who want the one-lane bridge.

I. Executive Session

Supervisor Rosamilia recessed the regular meeting at 10 pm to discuss matters of potential litigation. Rosamilia called the meeting back to order at 10:29 pm. There was no action to report.


J. Adjournment

Motion: to adjourn the meeting at 10:30 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.

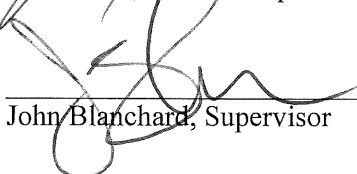
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